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HONOLULU, H. T., TUESDAY, NOVEMBER 8, 1904—SEMI-WEEKLY.

WHOLE No. 2640.

ROOSEVELT ODDS 6 TO 1

Republicans Have the Benefit of the Eastern Betting—Good Weather For Election—Heavy Vote Expected In Greater New York.

(ASSOCIATED PRESS CABLEGRAMS.)

NEW YORK, Nov. 8.—Betting is lively on the election, \$200,000 having been placed at odds of six to one in favor of Roosevelt.

GOOD ELECTION WEATHER.

WASHINGTON, Nov. 8.—The weather forecast for election day is generally fair with slight showers in New England and New York.

—ELECTION FORECASTS.

NEW YORK, Nov. 8.—Gov. Odell says that Parker's plurality in Greater New York must exceed one hundred and forty thousand to carry the State. Frank Higgins, the Republican nominee for Governor, says the State will give Roosevelt 100,000 plurality. Murphy, the leader of Tammany Hall, says Greater New York will poll the largest Democratic vote in its history.

PRESIDENT GOES HOME.

WASHINGTON, Nov. 8.—President Roosevelt left for Oyster Bay yesterday to cast his vote.

ADDRESS OF WARNI TO REPUBLICAN WATCHERS

To the Republican watchers and clerks of the Fourth District: Reliable information is received to the effect that a certain element of the opposition proposes in its desperation to resort to fraud and violence in effort to defeat us at the polls today.

This element includes the ex-convicts and other roughs who have been so active during the past few days on behalf of the Democratic party and some of its auxiliaries.

These worthies have planned to introduce here the slum tactics by using repeaters and trying various sorts of illegal voting. They threaten to make disturbances at a number of precincts at the closing of the polls, hoping to capture ballot boxes or create confusion that will result in injury to our party.

Officials, watchers and clerks, be vigilant and fearless. The Republican party has always stood for a free ballot and a fair count. With these today we shall carry the Fourth District for our entire ticket by a larger majority than ever before.

LORRIN ANDREWS.

Chairman Fourth District Representative Committee.

INQUIRY FOLLOWS RUSSIAN FIRING ON GERMAN VESSEL

WASHINGTON, Nov. 8.—The Navy will be invited to send a representative to the Dogger bank inquiry. Admiral Dewey will probably go.

BERLIN, Oct. 28.—A dispatch to the Lokal Anzeiger dated Geestemünde, October 27, 11:55 p. m., says: "The fishing vessel Sonntag, which arrived here today, reported that it had been fired upon for two and a half hours off Dogger bank, but not hit."

Following is the story of Captain Hachner of the Sonntag: "On October 21st we were on the Horn's reef fishing ground, on the west coast of Jutland. In the forenoon five large Russian ships passed and in the evening nine more. North of us was a large freight steamer. At 8:30 o'clock we were lighted by a reflector, and immediately afterward there fell the first shells in our neighborhood. The Russian vessels fired up to eighty shots a minute in all directions. Toward 9:30 the freighter approached us, drawing the fire upon itself. In the light of the reflector we observed shells striking close to this steamer. We then observed another reflector southward, and shells bursting near the ship which was firing on us. We remained on our course. After 11 o'clock there were no further shells."

STOCKHOLM, Oct. 27.—The skipper of the Swedish steamer Aldebaran, from Hull, England, which arrived today at Gelle, Sweden, says his vessel was chased in the Skagerrack during the evening of Friday, October 21st, by a foreign cruiser, apparently a Russian, which threw its searchlight on her. The cruiser, increasing her speed, passed the Aldebaran and fired a shot which had no effect. The Aldebaran thereupon hoisted her flag and the cruiser again threw her searchlight on the steamer and a few minutes later hailed shot all around the Aldebaran, without, however, hitting her. The Aldebaran's skipper then ordered the steamer to be stopped, and with his crew sought refuge below. The foreign warship thereupon disappeared in the darkness.

COPENHAGEN, Oct. 27.—The master of the Norwegian steamship Skandal reports from London that he was fired upon by a Russian ship on Sunday in the English channel. The firing ceased when the Skandal hoisted her flag. Soon afterward eighteen Russian men of war passed the Skandal.

REPUBLICANS CONCLUDE

Campaign With Oratory At Orpheum Theater.

A great crowd of Republicans gathered in and about the Orpheum theater last night to listen to the last arguments on campaign issues and candidates. The crowd in the theater was of record-breaking capacity, while the addresses were excellent throughout. Many telling points in favor of the Republican party and the administration were made, and many equally telling ones thrust into the thin policies of the Democratic and Home Rule parties.

The principal speakers were Delegate Kalaniana'ole and Stephen Desha. The address of the latter was a magnificent appeal to the Hawaiians to vote for Kūhiō and the whole ticket. The Hawaiian orator was at his best in his story-telling and beautiful descriptions of the Hawaiian Islands, although he came from a sick bed to say a last word in favor of the Prince.

Chairman Robertson presided and upon the stage behind him were Delegate Kūhiō, Stephen Desha, J. M. Dowsett, E. Faxon Bishop, Frank Andrade, E. W. Quinn, Jack Lucas, A. Lewis, Jr., J. W. Cathcart, E. A. Doughitt and others. Between addresses, Faxon's quintette rendered several campaign songs.

Chairman Robertson opened the meeting with an appeal to voters to stand by the straight ticket. He said he had already made a forecast of the result today. He noticed also that Democrats were claiming a sweeping victory. Mr. Robertson called attention to some Democratic defeats in the last election—Prince David, Cornwall, etc. He said there was but one thing for every true Republican to do today, and that was to vote straight.

At this juncture Prince Kūhiō entered the stage, and was greeted with three ringing cheers.

CATHCART'S FINE SPEECH.

John W. Cathcart, the attorney, was the first speaker. He said the time for argument was almost over; the time for talking was about to end and the time for action had all but begun. The minds of the people were about made up as to what they would do at the polls today. For him, a Republican from birth, his duty was apparent as to what he should do and the way clear. Today would decide who will represent us in the high places and in the offices for years to come. The foundations of our Republic were laid upon manhood suffrage, and if that manhood suffrage is not well and seriously performed, the Republic must be shipwrecked. For this reason every man should consider seriously for what party and to what persons he shall give his ballot.

Why should any one vote for the Democratic party? There was a voice continually crying out in the wilderness and that is all. All that you hear from the voice is abuse of the Republican candidates and abuse of men who hold office. The voice abuses Governor Carter and Lorrin Andrews, and after Kinney's voice wails in the distance, you hear the high tenor of Hutchins abusing Kūhiō. It is all abuse.

They ask you to elect men who are for nothing on earth but obstruction of the government. Cecil Brown and Mr. Waller, he said, stood for nothing except to fight the Governor and the administration in general. There had been enough and more than enough of trouble and obstruction already. The Democrats object to an administration which is efficient and economical.

As for the Home Rule party they did not have a single policy outlined. The speaker did not believe that in the wildest dreams of the Home Rule statesmen there was ever the vision of a policy. All they want are the offices, and their cry is race hatred, as foul and evil a cry as was ever raised anywhere, which sets men against men. (Applause.)

Then coming at last to the Republican party, Mr. Cathcart said that party stood for a strong and efficient government. That has been given and in the short term of Governor Carter he has already given the people an economical, strong and efficient government, and the Republican party promises the same thing for the future.

Mr. Cathcart spoke in favor of continuing Kūhiō in Congress. It was foolishness to change men from term to term. Other communities held the same men in place as long as possible as the only means of obtaining benefit.

Cathcart asked in what way were Cecil Brown, Frank Harvey and J. A. Waller superior to John Lane, Jack Dowsett and Faxon Bishop? A strong effort has been made to induce Republicans to scratch the ticket. Those who scratched would have themselves in confusion.

RUBIN'S LAST SPEECH.

Prince Kūhiō came forward to address the audience.

DEMOCRACY AT AALA PARK

Strong Appeals By Leaders of the Party.

Last evening Aala Park was the scene of great political activity. The Republicans were at one end and the Democrats at the other, with a Home Rule meeting in the center. Hula seemed to be the order of the day, or rather night. The Republicans had a couple of old time dancers from Waiānae and a quartet of girls. At the Democratic meeting things were not so elaborate, the performers being volunteers. The hit of the evening was a young dancing boy about five who certainly showed remarkable ability for his age. He hulaed for the Democrats.

The speeches were all a general rehash of those already given. The first Democratic speaker was Mrs. Fushii, who came all the way from Waiānae to attend the last rally. She said that no party could blackguard the others for having men who had shifted from one party to another as the shifting was not confined to any one party. She then sailed in to young Kalaniana'ole for running down Wilcox after he was dead. Next she went for the Republicans and Home Rulers, saying that the Home Rulers were chasing a rainbow. There was no National Home Rule party and they would never accomplish anything. The Democratic party is the one that regards the laboring men and should be supported. The woman then eulogized Lauka and said he was the only one that would fulfill his promises.

NAUHA.

Nauha, the "ruler of the fish of the sea," then made a very popular speech. He is one of the Democratic candidates of the Fourth District. He began by quoting Kamehameha's famous order, "Advance men until you lie in your tracks." He said that in Congress the Republicans had advocated the disenfranchising of the natives while the Democrats were the friends and backers of the Hawaiians. Nauha made the usual appeal to the ladies. He ended by saying that the Democratic party came to the polls with clean hands and had not debauched the campaign with coercion or booze. He gave the usual plea for the straight ticket.

MADEIROS.

M. R. Madeiros said that the Democrats had not needed to have a torchlight procession to create enthusiasm. Bishop and Dowsett would fight for the interests of the plantations and not the people. The Home Rulers have made an issue of Lauka. For his part, said Madeiros, he would "rather go to Hell with Lauka than to Heaven with Kūhiō or Notley." He then referred to Notley's arrest. He claimed that he had heard a couple of Republicans saying they must win by hook or crook. The Democrats will see to it that there are no frauds.

KINNEY.

Mr. Kinney began by speaking of Umauma and Nakookoo and the affidavit as to the abusive letter of Harvey to Nakookoo. There was no such letter and they can't produce it. The Home Rulers claim that the Democrats are against the Hawaiians but put up not a single argument to back up the assertion. As for Kūhiō he is honest but not attentive to business and therefore of no benefit to us. He is muzzled by the party and only says what is put in his mouth. He is being led around by the nose. Lauka would make friends of his political enemies at Washington instead of making enemies of his friends as did Kūhiō. Mr. Kinney then went through the list of the Democratic candidates, lading out soft soap with a lavish hand. He ended by roasting the Governor.

MOSSMAN.

Mossman said that he is not superstitious but a peculiar thing has happened every time up to now. Four years ago the Republicans held their last meeting at the Orpheum, and lost disastrously, two years later the Home Rulers had the same thing happen, and now the Republicans are again holding their last meeting at the Orpheum. The Democrats therefore will probably sweep the boards. We have had four years of Republican misrule and need a change. Mossman then roared the Republicans for the way the campaign funds have been spent. The islands never needed Democracy as much as now. The Home Rulers are noisy but do not accomplish anything. Our only salvation is to vote the Democratic ticket. Mossman ended by urging them to remember the "fat Democrat" when voting.

LAUKA.

Lauka said that the ballot place is where we all can show our disapproval of the Governor's methods. He referred to the hula at the Republican meeting and said it put him to the test to have such a thing happen.

THE RUSSIAN CENTER SPLIT

Japanese Getting the Better of the Defenders of Port Arthur—Immense Loss of Russian Officers in the Northern Battles.

(ASSOCIATED PRESS CABLEGRAMS.)

DALNY, Nov. 8.—A three days' bombardment of Port Arthur culminated Sunday when the Japanese made magnificent charges forcing an entering wedge into the center of the enemy's defenses. There was desperate personal fighting. Eleven hundred Japanese were killed.

MANY OFFICERS KILLED.

ST. PETERSBURG, Nov. 8.—Army officers are being mobilized in the large cities to take the places of the 1300 officers killed at the battle of Liaoyang and near Mukden.

AFTERNOON REPORT.

MUKDEN, Nov. 7.—A Japanese attack on Saturday was repulsed by the Russians.

CONSTANTINOPLE, Nov. 7.—The Russian volunteer steamer Voronei, loaded with coal and provisions, passed the Bosphorus today, bound for the Mediterranean Sea.

ST. PETERSBURG, Nov. 5.—Relief is general over the failure of the Japanese assaults on Port Arthur. The report that Gen. Stoessel has been wounded is unconfirmed.

THE BOMBARDMENT CEASES.

CHEFOO, Nov. 5.—The Chinese report that the Japanese ceased bombarding Port Arthur on Thursday. They suffered enormous losses.

ALL QUIET AT MUKDEN.

MUKDEN, Nov. 5.—The military situation has been calm since Thursday.

LONDON, Nov. 7.—Specials from Chefoo and Tientsin say that the defenders of Port Arthur have retired to Liaotshan, which they are desperately holding. Many are deserting to the Japanese.

JAPANESE AT MUKDEN.

MUKDEN, Nov. 7.—It is quiet here. The Japanese are still entrenching and reinforcing their ranks.

WINTER FIGHTING NOT EXPECTED.

ST. PETERSBURG, Nov. 7.—It is believed here there will be no battle in Manchuria this winter.

PACIFIC MAIL COMPANY LOSES RIO DE JANEIRO CASE

WASHINGTON, Nov. 8.—The Supreme Court has refused a writ of certiorari in the case of the Pacific Mail Company vs. Guyon, relative to the sinking of the Rio de Janeiro near San Francisco harbor. The question of damages is settled favorably to the passengers.

HAWAIIAN SUGAR CO. LOSES TAX APPEAL

The appeal of the Hawaiian Sugar Co. against its assessment for taxation is lost, the Supreme Court by unanimous opinion affirming the decision of the tax appeal court. Circuit Judges De Bolt and Gear sat with Chief Justice Frear, writer of the opinion, in place of Justices Hartwell and Hatch, disqualified. Smith & Lewis and L. J. Warren appeared for appellant, and W. S. Fleming, Deputy Attorney General, for appellee.

It was an appeal from the tax appeal court, fourth division (Kauai and Niihau), sustaining, on appeal from the tax assessor, an assessment of \$480,000, made as of January 1, 1903, upon the lessors' interest in 2242 acres of cane lands held by the appellant under a lease for fifty years, beginning January 1, 1880, the lessee being obliged by the terms of the lease to pay all taxes on the deemed premises. The appellant relied on the rule of eight years' rental as the basis of taxation, unless that would be manifestly unfair and unjust, as part of the rule goes. The rent of the land in question consisted of percentages of the sugar produced on it, varying according to the amount of sugar produced, and for the previous five years had averaged in value \$4.00 a year. The court reviews the circumstances of the case and lays down the law thus: "An assessment, made by the assessor and sustained by the tax appeal court, of the lessor's interest in certain land at more than the amount of eight years' rental is affirmed under the circumstances set forth in the opinion."

SLEPT ON RIGHTS WHEN COME OF AGE

The Supreme Court by unanimous decision sustains the exception to the refusal by Judge Robinson of defendant's motion for a directed verdict in the case of Becky L. K. Kalamake by her guardian, J. W. Keiki, vs. Henry Wharton and the Waiānae Agricultural Co. A new trial is ordered.

Justice Hartwell writes the opinion. Judges De Bolt and Gear having sat with him on the hearing. J. A. Magoon and J. Lightfoot appeared for plaintiff, Castle & Whittington and C. W. Ashford for defendants. The gist of the decision is that the defendants had title by adverse possession; that the grantee of the entirety of an estate from a co-tenant is not regarded as holding a fiduciary relation to the other co-tenant, a child of four years at the date of the conveyance, merely because the child was brought up in the family of the grantee's mother, and that the statute of limitations had run against the plaintiff. The plaintiff did not bring the suit within five years after coming of age when the statutory limit of adverse possession had run.

and sustained by the tax appeal court, of the lessor's interest in certain land at more than the amount of eight years' rental is affirmed under the circumstances set forth in the opinion."

NOTLEY'S PILIKIA

Iaukea Causes His Arrest—Some Others Too.

(From Saturday's Advertiser.)

A bombshell exploded yesterday in the Home Rule camp when Charles Notley, the Home Rule candidate for Delegate to Congress, was placed under arrest on a warrant sworn to by W. F. Erving, secretary of the Democratic Committee, charging him with criminal libel, in permitting to be printed in the Kuokoa Home Rule, the Home Rule organ, an article charging Curtis Iaukea, Democratic candidate for Delegate to Congress, with wrongdoing while Collector General of Customs for this port.

The arrest caused all manner of excitement in the Home Rule headquarters and about the streets. Mr. Notley was released on having his bail bond for \$500 approved with Senator Kalanokalanui as surety.

Mr. Kinney, the Democratic leader and counsel in general for the Democratic party, and Mr. Notley, met on the street shortly afterward and Mr. Kinney told Notley that unless there was a retraction of the article in the Home Rule, of which Notley is editor, the charges would be pressed. A retraction would save him from prosecution.

Notley asked for time and he was at first given until 4 o'clock yesterday afternoon. Later he asked for more time, and Mr. Kinney, not desiring to take any unfair advantage of him, gave Notley until 9 o'clock this morning to make the retraction.

Still another sensation broke out when it was known that Stephen Umauma, up to a day or two ago a staunch Democrat and one of the speakers who daily mounted the political rostrum at Bethel and King streets on behalf of Iaukea, Parker and any other Democrat on local or mainland tickets, had deserted to his old friends the Home Rulers.

In the same issue of the Home Rule paper that the article attacking Iaukea was printed, was an affidavit from Umauma in which he made an assault upon Democratic principles and his former political friends. Mr. Nakookoo also came out with an affidavit against Iaukea and others and the result is that Mr. Kinney has also prepared warrants for their arrest. "In case Notley fails to retract the other two warrants will become operative today," said Mr. Kinney.

The warrant for the arrest of Notley read as follows:

THE WARRANT.

"Wm. F. Erving of Honolulu, being first duly sworn, says that one Charles Notley did at said Honolulu on the 5th day of November, A. D. 1904, commit the crime of publishing a libel by maliciously putting into circulation in said Honolulu, in a newspaper published and circulated in said Honolulu and known as the Kuokoa Home Rule a certain false and malicious writing and article in the words and figures as set forth in Exhibit 'A' hereto attached and made a part hereof, which said writing and article directly tends to injure the fame, reputation and good name of another person, to wit, one Curtis P. Iaukea, and to bring him into disgrace, abhorrence, odium, hatred, contempt and ridicule, said publication and said libelous article being without authority or justification by law, and contrary to the provisions of Chapter 32 of the Penal Laws of 1897 of the Territory of Hawaii; said article meaning and charging that Curtis P. Iaukea corruptly appropriated to his own use opium of the value of \$45,000 in his custody as Collector of Customs at the city of Honolulu of the Hawaiian Government, in the following words therein contained, to wit: 'He \$45,000, ka waiwai o ka opium i nalowale ma ka hale dute i ko Iaukea wa e poho ana ala thea' and in other words and parts of said article."

(Sgd.) WM. ERVING.

NOTLEY AND KINNEY.

When Notley accented Kinney on the street he asked the latter to act as his counsel, both having had relations as attorney and client on many other occasions. Mr. Kinney said he could not take his case. He said bluntly that if the statements made in the paper against Iaukea were withdrawn all prosecution will be withdrawn.

"As it is, Iaukea's skirts must be cleaned of this blemish," said Mr. Kinney.

Notley claimed to have nothing to do with the articles and could not therefore withdraw them. Mr. Kinney replied that being editor of the paper in question, he was responsible for them.

Mr. Kinney stated to an Advertiser man last evening that nothing further would be done until this morning when Notley was to give his answer. Umauma was one of the original Home Rule men at the Democratic convention which went delegates to St. Louis pledged to the editor-candidates. Since then he has been a wheel-horse of Democracy, making speeches daily and was even on the Democratic ticket. His defection complicates matters. It is said by Democrats that he was lured by Notley, which assertion Notley denies. It is said that Umauma has been in the employ of the Democrats to make speeches and do otherwise, being quite popular wherever he went.

A prominent member of the Democratic council said last night that the desertion of Umauma by the Home

Rule is only one phase of a general defection. Native Democrats are deserting in thousands. The basis of the article in the Home Rule, upon which the Democrats are pressing their charges against Notley, is that Iaukea is charged with having made away with \$45,000 worth of opium, entrusted to his care while he was Collector General of Customs for the port of Honolulu.

THE AFFIDAVITS.

The three affidavits in the Kuokoa Home Rule which stirred up all the trouble for the Democrats are as follows:

UMAUMA'S AFFIDAVIT.

"I, the undersigned, do hereby proclaim before my countrymen from the rising sun, Kumukahi, to the setting sun, Lehu, I was a true Democrat in the days gone by, but today while writing this letter of explanation of secrets which I found in the Democratic party, and for the welfare of my people and without consideration of how much money the Democrats have given to me, I've gone back and am now standing with the Home Rule party, and have left the Democratic party, the party which has been a traitor to my people, and for the following reasons which I found in the Democratic party:

"1.—C. P. Iaukea, is the real Republican candidate, and not Kalaniana'ole. "2.—The haoles, Democrats as well as Republicans, in Hawaii have met together and agreed to disfranchise the natives Hawaiians.

"3.—The business men are helping the Democratic party with money.

"Now, I call you my beloved countrymen, to stand and leave the Democratic and the Republican parties, and let us go back to the Home Rule party, the only party in which we could exist and could hold our rights to vote without interference.

"Therefore, ye the generations of 'I, the Mahi' and 'Palena' and all 'Pala-lauhala' (old people), come back all of us in one party that would 'ko-ko' (strengthen) us in one net for victory.

"Long live Delegate Kahiliulani, the man that would save my people to everlasting heaven.

"I am yours truly,

"STEPHEN UMAUMA."

Signed and duly sworn before me in Territory of Hawaii, this 1st day of November, 1904.

JNO. M. KRA,

Notary Public, First Judicial Circuit.

MAUNALEELE'S STATEMENT.

"The Democratic party held a mass meeting at Waiehe schoolhouse, Maui, on the evening of the 21st, and from the speakers came false impressions calling Delegate Charles Kahiliulani Notley worthless, ignorant, and spivichous, when he was Custom House Collector in Hilo.

"Therefore, before you, my fellow-citizens of 'na wai eha' who had attended that meeting of these treacherous Democrats, I stand and deny all false impressions that were said of Kahiliulani our Delegate. These questions should be asked by all readers:

1.—Was Kahiliulani arrested by a policeman or by other government officials on charge or charges made, and was he tried and found guilty by a Judge or Judges?

2.—Where, when, what results, what was it and who was it?

"On these questions, I deny all."

"Kahiliulani's hands and heart have not done such filthy thing as Iaukea and Kivini (Desha) is charging him before the public."

"We have come now, readers, where we should put questions on this subject. There was a large quantity of opium tins in the Custom House, Honolulu, valued about \$45,000. These were lost, and brick stones were placed instead; Iaukea was the Custom House Collector then. The questions are: Where was the opium? Was there a marvelous change in these stones? Do consider the answers to these questions."

(Sgd.) L. K. S. MAUNALEELE.

Honolulu, Nov. 1, 1904.

NAKOOKOO'S AFFIDAVIT.

The following statements were made to the undersigned by Frank Harvey (Palakiko Hawe), one of the Democratic leaders in Hawaii:

1.—The "haoles," Democrats and Republicans in Hawaii had agreed to disfranchise all Hawaiians who have the rights to vote.

2.—The business men (Republicans) in Hawaii had agreed that Iaukea is their Delegate, and not Prince Kalaniana'ole.

3.—All money men (Republicans) are helping the Democratic party by contributions.

The following statements were made by David Kalanokalanui Jr.:

"Iaukea had said in his speeches that it was not the Democratic party that helping him with money for his traveling expenses, but others (Republicans)."

The undersigned is ready to prove the above statements as to their correctness.

J. K. NAKOOKOO.

Signed and sworn before me in the city of Honolulu, Oahu, Territory of Hawaii, this 1st day of November, 1904.

JNO. M. KRA,

Notary Public, First Judicial Circuit.

Small Fire at Kalihii.

A still alarm at 8:30 last evening sent Engine Company No. 4 from the Palms station out to the old Heriot place at Kalihii, where a small house occupied by Japanese was in flames.

As there are no fire hydrants in that section and the house was already almost destroyed the firemen could do nothing. It is reported that the house was the property of Alexander Young, but as there are many houses in the neighborhood Mr. Young could not state last night whether it was one of his or not, but was of the opinion that it was not. The damage amounted to about \$100.

ONE OF AMERICA'S MOST NOBLE WOMEN IS HERE

Dr. McGee, the Eminent War Nurse, Going Home From Her Ably Executed Mission to the Seat of War in Manchuria.

Among the passengers in the transport Thomas is Dr. Anita Newcomb McGee, who is a daughter of Professor Simon Newcomb and President of the Association of Spanish-American War Nurses. In October of last year she offered the services of her association to the Japanese government for a period of six months. Upon the outbreak of hostilities, the offer was accepted and Dr. McGee and eight associates immediately repaired to Japan. Their time is now up and they are returning home.

Upon their arrival at Japan they were received with almost a royal welcome.

The Americans received the post of honor in being assigned to the ward in the great hospital at Hiroshima where the worst cases are first brought. It may be said in passing that the hospital of Hiroshima is the great receiving station of all the Japanese wounded. Dr. McGee and her associates had no difficulty, whatever in learning enough of the Japanese language on the voyage out to enable them to attend to their duties.

Dr. McGee was appointed to the highest grade in the Japanese Red Cross with the rank of a military officer and she was given every facility to become thoroughly acquainted with every branch of the department. She went on the hospital ships over to Dalny and up the Yalu, being the only woman of the Red Cross so far to set foot in Manchuria.

While Dr. McGee was on one of the hospital ships thirty-eight wounded Russian soldiers and a couple of officers were brought on board. It happened that the Japanese doctor only understood English and Japanese, the United States to become members of the Japanese Red Cross. The life membership fee is only \$12.50 and to

belong to the organization is considered a high honor. Dr. McGee will take the names of those desiring to join and will send them to Japan, where they will be acted upon.

Dr. McGee spent a part of yesterday sightseeing with Chief Justice Frear. She tried to find Governor Carter, being an old friend of his mother, but did not find him in.

While the Russians' only foreign vocabulary was German. So Dr. McGee had to act as interpreter.

Dr. McGee says that the majority of the wounded that are brought to the hospitals have several, at least, and often many wounds. One man in particular recovered after being riddled by twenty bayonet wounds. The Japanese make ideal patients, being courteous and cheerful. They have great vitality and a bullet hole through the body is soon mended. In speaking of the Japanese Red Cross she says that it is almost without doubt the finest in the world.

Prior to Dr. McGee's departure, she was given an audience with the Emperor, was entertained by the nobility and had a great official banquet given in her honor. All the dignitaries were there and the Surgeon General even had to report from a distance of a day's ride, especially for the occasion. Her passage through the country was like a royal procession. The heads of all the towns through which she passed were down at the train to pay their respects.

Dr. McGee intends to take in the St. Louis Fair. Her husband is in charge of the Anthropological Exhibit there. She said she expected to see Prince Fushimi in Washington and would be very glad to see him, as she had met him often in Japan. The Japanese Government has given Dr. McGee authority to get people in

GEN. WADE DOES NOT THINK HONOLULU DEAD

Major General James F. Wade is a passenger in the United States Army Transport Thomas which is now in port on its way to San Francisco. General Wade has been in command of the Military Division of the Philippines and is on his way to succeed General Corbin as commander of the Department of the East, which comprises all the Atlantic slope and the island of Porto Rico, as well as most of the Gulf states, making it probably the largest and most important of the military departments. General Corbin, it will be remembered, passed through this city a few weeks ago on his way to the Philippines to take General Wade's place, so the two generals at the farthest extremes of Uncle Sam's military jurisdiction have swapped commands.

General Wade was seen at the Young Hotel last night and consented to be interviewed, although he laughingly remarked that he was afraid that he couldn't say much of interest. The general is a middle-aged man with grey hair and moustache and a merry twinkle in his eye that is very comforting to a reporter after some of the glassy stares that he has received from some generals. In short the general is a man whom it is a pleasure to meet and if he was not popular in the Philippines nobody could be.

"The troops now in the Philippine Islands are merely on garrison duty," said General Wade last night, "and the military government has been abolished except in the Moro district, where there is a combination of military and civil government. General Wood, who is military governor there, is also the civil governor. In the other parts of the archipelago the civil authorities are in full control. The conditions in the Moro country are very different from those in other parts of the islands. It is a very difficult country to care for. It is full of jungles and the Rio Grande, which flows through it, spreads out and creates impenetrable swamps.

"There is no danger of any general trouble in the islands now. There may be local disorders but nothing of any great consequence. Many of the people are pretty wild and they have to be watched. Communication is not good through the interior. There are no good roads. One can go along the seacoast very well, but it is very difficult to travel through the inland provinces. Something is being done in the way of building roads, but there is not much money to spend on the work. What is spent is derived from the island revenue. I cannot say that the islands are very prosperous at present, for there is not enough agriculture to give the people money to spend. The people are rather indolent and as long as they can live they don't care for much more. Then it is hard to reduce things quickly after a great change, but after affairs are settled business should pick up. From the newspapers I thought that Honolulu must be a dead town, but it doesn't look like one to me after riding around it this afternoon.

"The time of service for the regiments in the Philippines will expire beginning in March. The first regiments from the States will probably pass through here on the way to Manila on the January or February transports. There are thirteen regiments in the islands and there will be about one



MAJ. GEN. JAS. F. WADE.

Late commander of the army in the Philippines who is going to command the Department of the East.

a month each way until all are exchanged. There is some talk of reducing the garrison by two or three regiments, and I should not be surprised if this were done.

"As for the Filipinos themselves, they are very bright to a certain limit. They are quick at learning the rudiments of mechanics. The superintendent of the government shops in Manila told me that they were very good up to a certain point but they can't seem to go any farther. They make fair sailors but you cannot trust them to keep awake—they do not assume responsibility. The constabulary has been quite successful in doing the work which it was organized for, that of handling the other natives, but with them we often have trouble from the fact that if you give a Filipino a little authority he will use it on his fellow countrymen to at least its full extent. They are often more severe to the other natives than the white officers."

CUPID IS BACK FROM MOLOKAI

Prince Kuhio, Beckley, Lane and other Republican speakers returned last night from Kalaupapa. They report very successful meetings.

May Pass Here.

WASHINGTON, October 26.—The Army general staff has decided to dispatch American Army surgeons as attaches to the Japanese and Russian armies operating in the Far East, providing the consent of the authorities can be secured.

Kuhio at Iron Works.

Delegate Kuhio and many other Republican candidates on the district tickets have been addressing the mechanics at the Honolulu Iron Works the past week. The meetings being conducted by W. C. Row. The employees will form a big part of the Business Men's parade today, starting at 11 o'clock noon.

SENSATION AND SEQUEL OF BROOKLYN FIRE

The first dispatches regarding the fire at the American-Hawaiian steamship wharves were as follows:

NEW YORK, Oct. 28.—Two piers, four large steamships and two lighters were destroyed by fire early this morning at the foot of Forty-second street, Brooklyn. The fire was still burning at 3 o'clock, and the damage is roughly estimated at \$1,000,000.

One of the destroyed piers, No. 6, which cost \$500,000, burned to the water's edge, and was the largest pier in New York harbor. The ships were all laden and the piers were filled with valuable merchandise. Part of the loss was 30,000 bales of cotton, valued at \$50 a bale. There were very narrow escapes from the three steamers and lighters and at this hour it is reported several lives were lost.

At 1:30 a. m. the big freight steamer American, Nebraskan and Arizonan, which ply between this port and the Hawaiian islands, and the freighter City of Palermo were on fire. The tremendous flames that rolled up from them illuminated the whole southern sky and attracted attention all over Manhattan. The barges Victor and Adelaide, laden with cotton were destroyed. They were lying at Pier No. 7, one of the two destroyed.

The fire started on board the barge Victor and spread rapidly until the entire barge was ablaze and the flames had communicated to the pier, stored to its capacity with cotton and general merchandise.

The steamers Nebraskan, American, and Arizonan were tied up at the pier. The fire spread so rapidly that the steamers were in flames before the crews could be aroused, and escape by the pier was cut off. All on board the steamers had to jump overboard to save their lives. The barge Victor had been cut adrift from the pier to try and save the structure. The flaming barge drifted over to the gher side, alongside the Adelaide, and in a few moments the Adelaide was afire and the flames had communicated to Pier 6, also freighted with cotton and general merchandise.

Tied up to this pier was the large transatlantic liner City of Palermo, running between New York and Mediterranean ports and loaded with a general cargo, including a quantity of cotton. The flames from the pier communicated to the helpless vessel and her crew had to abandon her and take to the water to save their lives.

At 3 o'clock this morning all that remained of the piers was charred ends of piles sticking above the water. The steamers Nebraskan, American and Arizonan were burned to the water's edge and the City of Palermo looked like a total loss. The firemen were practically helpless against the flames, as both piers were ablaze from shore to the extreme water end.

It was the third fire on the piers in two weeks. The firemen could not say whether they were incendiary. Where such a large quantity of cotton is stored there is always danger of spontaneous combustion. The last fire on the piers occurred two days ago and resulted in a damage of \$50,000.

LOSSES MODIFIED.

The Call the same morning modified the losses as follows:

Telegrams received in this city yesterday by the Merchants' Exchange and by Williams, Dimond & Co. announce that the steamships American and Arizonan, reported to have been destroyed in the great Brooklyn fire yesterday morning, escaped the flames. The Arizonan was slightly charred, but the American was not even scorched.

Four steamers were reported burned to the water's edge, one of which is the Nebraskan, and in her case the report is doubtless true. The Nebraskan, Alaskan, Oregonian, Hawaiian, American and Arizonan, ships of the American-Hawaiian line, are bound for San Francisco, consigned to Williams, Dimond & Co. The Arizonan and American have just received new commanding officers, and about the first good work these captains did was to save their ships. The Nebraskan is commanded by Captain Weeden.

FUNERAL OF ISAAC SHERWOOD

With military honors the remains of the late Isaac Sherwood of the Territorial Auditor's staff, were laid away yesterday afternoon in Nunam Cemetery. It was a military funeral throughout, all the line officers of the First Regiment, National Guard of Hawaii, in which the deceased was a second lieutenant, were present in uniform, together with a battalion of the National Guard, C Company being the one to which Lieut. Sherwood had been attached.

The funeral services were conducted from the home of Mr. Solomon Mahelona, brother-in-law of the deceased, near the Kalia Pumping Station. The casket was laden with beautiful floral offerings, and among the handsome set pieces were those from the Hawaiian Chapter, Order of Kamehameha, National Guard and the Fifth District Republican Committee. The services were conducted by Rev. Mr. Kaubi of the Kalia Chapel. A choir from the Kamehameha Girls' School sang several selections.

The remains were then carried to the hearse and the long procession took up its course to Nunam cemetery. The pallbearers were Lieut. T. P. Cummins and Lieut. Dan Kekaulike of the National Guard; Henry Vida and A. St. C. Pinnau of the Fifth District Committee; Sam Dwight and Jas. I. Holt of the Order of Kamehameha; G. W. Desha of the Young Hawaiians' Institute; Geo. W. K. King for the Auditor's office.

The procession was as follows: Hawaiian Government Band; Drum Corps; Company F, S. G. H.; Hearse and mourners; Company C, without side arms; National Guard officers in uniform.

FIRST AUTO RAIL CAR

Oldsmobile Now Used On Oahu Railway Line.

The first railway motor inspection car of the automobile type to be seen in Hawaii is now in practical use on the line of the Oahu Railway Company. It is an Oldsmobile motor, looking much like the street auto, with the exception the wheels are flanged for exclusive running on rails. It is shaped like the touring cars, not having a curved dashboard seen on the street runabouts. The seats are arranged do-a-dos.

On the recent trial of the motor under the direction of Captain Jargstroff of the Von Hamm-Young garage the car averaged about twenty-seven miles an hour. The run was made clear through to Waimana. The car took the curves beautifully, and showed throughout that it is a valuable acquisition to Superintendent Dennison's rolling stock equipment.

CHANGE OF POLLING BOOTH'S LOCATION

Voters in the Tenth Precinct of the Fourth District will find, by an official notice in this issue, that their polling booth has been changed. Instead of being at the corner of King and Alexander streets as originally proclaimed, the booth will be placed at the corner of Young and Alexander streets. Secretary Atkinson explains the reason for the change as being risk and danger to voters involved in the first location of the booth. That was at the Rapid Transit transfer station.

A TEAM TO PLAY H. M. S. GRAFTON

At a meeting of the executive committee of the Hawaiian Association Football League held on Thursday evening a team was picked to play H. M. S. Grafton, which is due to arrive here on or about the 14th inst.

Following is the team: Goal, A. A. Catton (Punahou); fullbacks, S. Beardmore (Pacific), McGill (Maile); halfbacks, Guld (Pacific), Mayall (Maile); J. C. Anderson (Iolani); forwards, Catterall, Capt. (Pacific), Simpson (Iolani), R. R. Catton (Punahou), Cockburn (Punahou), Churton (Pacific).

Reserve team: Goal, Dulsberg (Pacific), fullbacks, Soper (Punahou), Greig (Maile); halfbacks, Clark (Punahou), Ryeroff (Punahou), Thayer (Punahou); forwards, Fiddes (Maile), Woo (Iolani), J. H. Catton (Punahou), Harwood (Maile), Waterhouse (Punahou).

COULD NOT SAVE HER

THREE PHYSICIANS TRIED FOR FOUR YEARS IN VAIN.

A Woman's Almost Miraculous Recovery From a Wasting Disease Brings Hope to the Hopeless.

For four years Mrs. Clara O. Smith, of No. 56 Bowers street, Nashua, N. H., had been growing paler and thinner and, according to the verdict of her doctors, had but a few weeks of life left. Then an astonishing transformation occurred and the woman, who had been so weak that she could not cross the floor, dismissed her nurse, resumed her household work, and gradually took on flesh until she reached a weight of 188 pounds. To a reporter who visited her home to learn the circumstances, Mrs. Smith gave the following details:

"My troubles began nearly four years ago with hemorrhages of the bowels. Week in and week out these were repeated and there seemed no way of stopping them. I became white as snow. My heart beat so that I could not go up stairs, and later not even the length of the floor. My head kept throbbing all the time just below my ears, and my limbs swelled and would hardly carry my body. Finally I became so weak that I had to be down all the time.

"My physicians regarded my case as incurable. I was told that there was no possible chance for me and even that I could not last for more than a few weeks. It was then in October of last year, that my son-in-law saw an advertisement of Dr. Williams' Pink Pills and got some for me. They brought me the first relief I had experienced in all my sickness. I could see a change for the better within the first week after I began to use them. The pain in my head stopped almost at once and has never returned since. My strength began to come back, my lips and cheeks grew red again, my flesh was restored; in fact, I am now entirely well and able to do the work of a family of three. The change is all due to Dr. Williams' Pink Pills and I know that I cannot be too grateful."

In all cases of weakness caused by lack of blood, and for all diseases springing from a impoverished condition of the blood Dr. Williams' Pink Pills are the great remedy. Their effect is simply wonderful. They are used by all druggists throughout the world.

DR. WILE ON MOLOKAI

Interesting Address at
the Pacific
Club.

(From Saturday's Advertiser.)

An elaborate luncheon was given yesterday at the Pacific Club by Dr. Chas. B. Cooper in honor of Dr. W. C. Wile of Danbury, Conn., one of Hawaii's most ardent friends, after which the visitor gave an interesting talk on the impressions he had formed during his recent visit with his host to the Leper Settlement on Molokai.

The invited guests, all of whom were present except Mr. Irwin, were Governor George R. Carter, Judge Sanford B. Doe, Hon. Alex. Young, Hon. W. O. Smith, Dr. George Herbert, Dr. L. E. Cofer, C. S. M. H. S. Hon. A. S. Cleghorn, Hon. Samuel Parker, Mr. L. E. Pinkham, Mr. Mark Robinson, Hon. W. G. Irwin.

The luncheon was designed to bring Dr. Wile into closer social contact with leading men of the islands. The doctor is an after-dinner speaker of ability, and in his talk yesterday he gave his auditors some word-paintings of scenes on Molokai that were most impressive. His description of the portion of the island on which the Settlement stands, and the possibilities for turning it into an arboreal Garden of Eden by making more use of the fertile soil, was of particular interest.

Dr. Wile said he had been amazed as well as instructed by what he had seen, first because of the malady of which no one really knows anything until he has had personal observation, and second because of the rugged beauty of Molokai. Dr. Wile had examined the condition of the people as thoroughly as the limited time of his stay permitted. He said he had found a colony on the island which was well cared for, and he did not believe there was such another place in the world where inmates were so well looked after. He found them cherished wards of the Territory, not outcasts.

But with all this Dr. Wile had found some things lacking. He had found a community living without employment. The Settlement was located on a beautiful peninsula covered with fertile soil, a place which he believed could be eventually converted into a vernal paradise. He thought that if the people had something to occupy themselves with, work for two or three hours a day, with care in the selection of a diet, something which would take their minds off their malady, the doctors would obtain better results in treatment. Some stimulant in the way of prizes for keeping up their grounds and some real good labor, which in a little time would make the place bloom like a rose, would do good.

The doctor spoke in the highest terms of Superintendent McVeigh, a man of fine qualities, with way down in his heart an affection for the people under his charge which makes him one in a thousand. Mr. McVeigh had the strength of character to govern well and Dr. Wile believed that, because of his kindly, though firm relations with the people in the conduct of the affairs of the Settlement, the most cordial relations existed between Superintendent and people. Everything there seemed to point to humane and beneficent control.

The feature which had struck the visitor particularly was the brave doctor—Goodhue—who has nearly a thousand patients to attend to all the time. What could a man do in scientific work with such a burden resting on his shoulders day and night?

There was the opportunity for the Territory of Hawaii to make a reputation which would resound from one end of the world to the other, and this was to find a treatment or cure for leprosy. The opportunity was exceptional. If leprosy were a disease that swept off 10,000 people at a stroke, all nations would be up in arms to put it down. In the entire world there are not many lepers, and the world generally looks upon the disease with horror, but not being epidemic in form and results, the world did not pursue it with scientific relentlessness.

The work placed upon this one doctor was too much. Dr. Goodhue is a good man, interested in his labor and the people, and it is his desire to do scientific work in their behalf. It was necessary that the government should establish an experimental hospital, the initial cost of which would not be less than \$100,000. Should such an institution be founded by the government, a great scientific work would go out of the little peninsula on the rugged island that would echo and re-echo throughout the world. Under the direction of the United States Marine Hospital Service the Settlement was the place where the most original and diligent scientific research could be carried on, a work that would be for the benefit of mankind the world over.

There were a few things which came under his observation which made a deep impression on him. One was his visit to the home for girls where a Catholic Sister had some of the young women sing for the visitors. The one who played the piano struck him particularly. To him she did not appear to be afflicted, but he noticed that some of the notes did not sound in music with which he was acquainted and then he saw the cause in a lack of digits. It almost brought tears to his eyes when he thought that this woman and the others about her could, under the circumstances, have their souls filled with music.

Another instance was when at six most dusk, the sky streaked with red and all the world seeming to be at peace and beautiful, eight young men came to the gate of the Superintendent's place and sang several songs. They had come because they had heard "a great had come" to see them, as they said. One song was evidently composed in honor of the doctor's visit. The singers hoped that God had guided his footsteps to their doors that he might mitigate the distress among them.

Another beautiful song as translated from Hawaiian into English, was evidently dedicated to a parting of the soloist from his mother, his father, sister and brother, ending with an appeal to God, in His goodness and greatness, to guide some one to them who would cure them.

Another beautiful song as translated from Hawaiian into English, was evidently dedicated to a parting of the soloist from his mother, his father, sister and brother, ending with an appeal to God, in His goodness and greatness, to guide some one to them who would cure them.

Governor Carter, at his office after the luncheon, spoke warmly of the pleasure the two hours at table with Dr. Wile had given to himself. He described Dr. Wile as a lovable and an earnest man, who takes a great interest in the Molokai Settlement and the humane problems it offers for beneficent solution.

Dr. Wile promised that he would do all he could to aid the movement for obtaining Federal co-operation in scientific investigation of the disease. With regard to that subject he told the party assembled that, whenever the occasion arose, he wished to be informed and he would go to Washington to assist the movement in every possible way.

"He has a heart, and he is a big man," was one of the expressions of admiration for Dr. Wile the Governor uttered.

WELCOME TO NEW METHODIST LEADER

There was a reception at the Methodist parsonage last evening to Rev. J. W. Wadman, the new Methodist superintendent here, which was attended by about 250 people. The features of the affair were addresses and music. Mr. W. A. Bowen made a speech of welcome for the people of Honolulu; Mr. H. C. Brown, of the Y. M. C. A., spoke in greeting for church workers. Rev. E. W. Thwing welcomed Mr. Wadman on behalf of the ministers and Mr. A. J. Lyle spoke of the organization of the local Methodist church, yesterday being the tenth anniversary of its founding. There was music by girls from the Kaula Home and by Kaula's Quintette Club. Nearly all the evangelical clergy were present.

HERE'S WHAT'S WANTED,

A Citizen of Honolulu Supplies the Information.

Over half the complaints of mankind originate with the kidneys.

A slight touch of backache at first. Twinges and shooting pains in the loins follow. They must be checked, they lead to graver complications. The sufferer seeks relief.

So-called kidney cures which do not do the back.

Plasters are tried and liniments for cure.

The long looked for result seems unattainable.

If you suffer, do you want relief?

Follow the plan adopted by this gentleman.

Mr. S. Hanoland, of this city, is a Custom House guard. He writes: "Having been afflicted with an aching back for some time, I procured a supply of Doan's Backache Kidney Pills at Hollister & Co.'s store, and used them. The results were most satisfactory and I know that the pills are a valuable medicine for kidney complaints and especially for a lame back."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes \$2.50) or will be mailed on receipt of price by the Hollister Drug Co., Ltd., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name Doan's and take no substitute.

NOTLEY HANGS BACK AND WILL BE PROSECUTED

(From Sunday's Advertiser.)

No retraction of the charges against Laukea was received yesterday by W. A. Kinney, chairman of the Democratic central committee from Charles Notley, Home Rule candidate for delegate to Congress. Notley has retained J. J. Dunne as counsel, and is being guided by his attorney in the matter.

The warrants for Umauma and Nakookoo were held up all morning waiting upon Notley's expected letter of retraction. Both the men mentioned are campaigning in the outer precincts of this island, and it was thought that Notley was taking time by the forelock to give them an opportunity of talking before being shut down.

Finally a letter from Notley was received at the Democratic headquarters which the writer may have intended for a retraction but which was found very unsatisfactory to the Democrats. Mr. Notley is said to have evaded the question at issue. The Democrats did not consider it apologetic enough, and the charge preferred against him—criminal libel—will be pressed in police court on Monday morning.

In the meantime the warrants prepared on Friday for the arrest of Stephen Umauma and J. K. Nakookoo, were placed in the hands of the police for service. The warrant against Notley is not returnable until Monday. By mistake his name was entered on the police court calendar for hearing yesterday morning, but was continued until Monday.

Umauma and Nakookoo are said to be making a tour of Oahu spreading information against Laukea such as appeared in the Kukoo Home Rule on Friday.

The Democrats were hoping yesterday for a complete retraction and had made arrangements to have it sent by wireless telegraph to the other islands. Mr. Notley stated yesterday that he did not consider himself personally responsible for what appeared in the Kukoo Home Rule. He was the owner of the printing establishment, but did not run nor stand as sponsor for the paper which is printed on his premises.

RAILROAD'S NEW HEAD

Week's Doing Generally
In and About
Hilo.

HILO, Nov. 4.—W. H. Lambert has been succeeded as superintendent of the Hilo Railroad Co. by D. E. Metzger, who has been in charge of the company's accounts for six months and previously in the office of the O. R. & L. Co., Honolulu. Mr. Metzger was an attorney and a newspaperman in Kansas, who began railroad business in Colorado ten years ago. Mr. Leonard, late of the O. R. & L. Co., succeeds Mr. Metzger as cashier.

A SAD LOSS.

Mrs. Mary B. Reinhardt, a niece of John T. Baker, died of consumption in Hilo on Friday night week. She was in her 26th year, having been the daughter of the late Edward Baker, Makawao, Maui. Besides her husband, Chas. Reinhardt, she leaves a sister, Mrs. Geo. Copp, and four brothers. She is described as having been one of Hawaii's brightest young women.

GENERAL ITEMS.

Of 26 names drawn for next grand jury, it is believed 11 are of exempt persons, and the trial jury draft is equally as bad a job of the commission.

Lau Chan, after serving a week for the larceny of Panama hats, escaped from the chain gang.

Another wild steer episode on the streets occurred Wednesday, when Mr. and Mrs. W. S. McLean were knocked into a ditch by a beast that escaped from a herd.

Miss Lyons, for years postmistress at Waima, has been married to Mr. Hay of that place.

It is expected that the entire \$10,000 stock of the new racing association will be taken in a few days. Eight thousand dollars is for the park purchase, the balance for improvements.

Mr. and Mrs. F. J. Lowrey, Mr. and Mrs. Cooke, Mrs. Howard and L. A. Thurston are expected tonight overland from Kawaihae.

The Japanese will give a moving picture show in the Salvation Army barracks for the benefit of the Red Cross Society in Japan.

William G. Irwin and John Buck left Hilo on Tuesday to visit plantations in Kau.

The steamer Enterprise will leave San Francisco on the 9th inst. and returning leave Hilo on the 25th, making regular trips thereafter.

Ronald Kennedy took a party up the Volcano road on his new Oldsmobile on Sunday, making the journey to Fifteen Miles in an hour and a half and returning to Hilo in fifty minutes.

Father Oliver will return from a visit to his old home in Belgium early in December.

Great interest is taken in the golf tournament to be held tomorrow.

Announcement is made of the engagement of Mrs. Bernice Reid to Christian Castendyk, head clerk of the local branch of H. Hackfeld & Co., Ltd.

The output of the Louissou coffee plantation thus far shipped amounts to 329 bags of coffee.

Governor Carter will give a dinner to his official family at the Moana Hotel some evening next week.

CHAMBERLAIN'S COUGH REMEDY IN OLD VIRGINIA.

The Hutchinson Drug Company, which is located at Perry, Oklahoma, U. S. A., in speaking of the sale of Chamberlain's Cough Remedy, says:

"We take pleasure in recommending it to our customers because we believe it is honestly made and a meritorious preparation. We sold it in Old Virginia and several other states, covering a period of over twenty years, and have always found it to give perfect satisfaction." For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

HOME RULE DEFLECTIONS

Leaders on Maui
Desert Lost
Cause.

MAUI, Nov. 5.—Politics during the past week on Maui has been comparatively quiet. The most important event to Republicans was the desertion of the Home Rule party by Charles Kanaehelo and Solomon Kawaihae, prominent Home Rule leaders of Wailuku.

Kanaehelo was the president of the Home Rule Wailuku precinct club and Kawaihae has been nominated for the legislature by Home Rule.

It seems as if the Home Rule party on Maui is permanently breaking up. It is also stated that both S. E. Kaie and F. W. Beckley are waiting only till November 8 is past to declare themselves Republicans.

In joining the Republican party, Kanaehelo and Kawaihae stated that there was no longer any hope of the Home Rule party accomplishing anything. The purpose that caused its formation, the restoration of the Queen, was irretrievably dead. The only live parties were the Democrat and Republican. They chose the latter because it was in power and could and would do more for Hawaiians than the former.

These two Wailuku leaders have been making a tour of East Maui during the week preaching Republican doctrine to the natives, beginning on Tuesday night at Keokea, Kula and departing on Wednesday for Kaupo. They are expected in Wailuku to-night.

Last night all the Republican candidates for senators and representatives excepting Geo. Copp took the steamer Kinat at Maalaea Bay intending to meet a special steamer from Honolulu and take passage in it for the Molokai Settlement and there do some campaigning.

CITIZEN LABOR ABUNDANT.

The work on the new government road at Muelea between Kipahulu and Hana is being pushed forward rapidly by the use of citizen labor of which an abundance can be obtained in the vicinity.

More than two men have been regularly employed until this week by J. W. Springston who has charge of the project for contractor L. M. Whitehouse.

As the road is nearing completion (it will be finished in five or six weeks), Mr. Springston has recently discharged about half his force. He much prefers citizen to Japanese labor, thinking the former more economical.

OFF FOR THE WAR.

Saturday, October 26th, was an exciting day for Maui Japanese, about one hundred of them leaving for the war in the East. At Wailuku the reservists from that town were conveyed to the railroad depot by a long line of hacks. Thirty sailed away from the landing at Lahaina and fifteen or twenty departed from Paia, Hamakua and Kula.

From the camp at Paia plantation several hundred people, men, women and children, marched a mile or so to the railroad station escorting the soldiers bound for the war. A bugler and a drummer headed the procession followed by fifty cavalry and fifty infantry, all in uniform of blue and brown—the former armed with tin swords and the latter with wooden guns. Nearly every one carried a white and red flag. Behind the men in uniform came several hundred in kimono and ordinary garb.

Twenty of the reserves summoned from Hana could not be found owing to a change of residence.

When recalling its soldiers the Japanese war office sends a registered letter to each one enclosing an order on Yokohama Specie Bank of Honolulu for \$100 in gold to pay expenses.

HOMESTEADS WANTED.

Approximately 4000 acres of Haleakala Kula land in Makawao, the lease of which from the Government expires in January, 1905, 2000 acres of it is above the forest line and will be probably reserved for forest land by the Government; the other 2000 acres is situated on the slope between Mrs. H. G. Alexander's premises in Makawao and Olinda, and is dry pasture land covered with manie grass.

POSTAL RECEIPTS OF LEADING POST OFFICES OF THIS TERRITORY

(From Saturday's Advertiser.)

WASHINGTON, D. C., Oct. 24.—The Postoffice Department has finally made up the books for the presidential postoffices in the Territory of Hawaii. The figures, as they will be published, in the course of three or four weeks, by the auditor for the Postoffice Department in his annual report, will differ in form considerably from similar figures in years past. Nevertheless the outline will be about the same. The figures cover the fiscal year that ended June 30 last, and, as is the case with most government statements, are now about four months old.

The report shows that the gross receipts of the postoffice at Hilo, for twelve months under the administration of William I. Madeira, were \$24,653. The postmaster's salary was \$2,100. Clerk hire, \$1,120; rent, light and fuel, \$85. The amount of fees for special delivery letters was \$1,200.

In Honolulu Postmaster J. M. Oat reported gross postal receipts of \$64,215. Out of that was paid his salary of \$2,400 and the salary of the assistant postmaster and of the clerks to the amount of \$11,000; also salaries for the delivery of letters to the amount of \$17,814. The fees for special delivery letters, during the fiscal year, amounted to \$15,592.

The Kohala postoffice, Mabel R. Woods, postmistress, shows gross receipts of \$22,476. Rent cost \$1,200 and the salary of the postmistress was \$1,000. At Lahine, Frank Crawford, postmaster, the gross receipts were \$2,608.54. The rent hire was \$169.95; clerk hire, \$600; and the postmaster's salary, \$1,200.

The only other postoffice of the presidential class in Hawaii is at Wailuku, it having been elevated to that rank Oct. 1, 1903. For nine months of the fiscal year the gross receipts were \$1,601.84; the postmaster's salary \$825; paid to Vette A. Verison. Clerk hire aggregated \$600; rent, \$132.75. The fees for special delivery letters were \$120.

It is known here that the application of the Territory for an additional million dollar bond issue is not looked upon with disfavor, but no official action has yet been taken. The first formal application for such a loan came through the Treasurer of the Territory. It was returned to Honolulu with directions that the application be made through one Carter. That is repeated here as the proper official form for the application.

ERNEST G. WALKER.

A petition has been recently forwarded to Commissioner Pratt praying that this land be opened to homesteaders. As there is not water available and the region is subject to frequent and long-continued droughts, it will be most difficult for homesteaders to make a living from these lands. A portion of the upper section should be allotted to persons wishing to build summer homes, as the vicinity is a most healthful one, possessing a cool, bracing climate 3000 or 4000 feet above the sea level. Near by are the summer resorts of H. A. Baldwin, J. B. Castle, and F. L. Stolz.

OTHER AVAILABLE LAND.

At Omopio, Kula, is another 2000 acres of government land, or rather 1600 acres exclusive of Kuleanas, that will soon be opened to settlers by the land department. This land though dry will have a supply of water led on to it by a pipe coming from springs in the forest above Olinda and will be rented to people who may colonize Omopio at a moderate rate. This land is well adapted to sugar growing and adjoins Haleakala Ranch lands devoted to the same product. Not only that, but the Maui Agricultural Co., or Haleakala Ranch Co., will eventually establish a sisal mill there to whose advantages all neighboring planters will undoubtedly be welcome.

This Kula land seems to be a much better proposition for homesteaders than the Makawao lands.

KINDERGARTNERS MEET.

Today at Lahaina will take place a convention of Maui kindergarten teachers. All the teachers from the "Alexander House," Wailuku, Miss Mosser and assistants of the Paia kindergarten, Miss Steele and assistants of the Hilo makupoko kindergarten, Mrs. H. P. Baldwin and others will attend.

THE MIKADO'S BIRTHDAY.

On the 3rd the Mikado's birthday was most elaborately celebrated by Maui Japanese. More preparations were made for its observance this year than ever before. On several of the plantations uniformed companies of men have been drilling for weeks past, some with tin swords on horseback as cavalry and others with wooden guns on foot as infantry. Even the young boys caught the warlike spirit and sported uniforms of blue and brown.

Then in addition to the flying of numerous Japanese flags from every dwelling, large arches of greens and flags were erected at the principal gates of the various plantation camps.

At the Kahului polo grounds in the afternoon a very large crowd from all the surrounding country assembled for sports and games.

NOTES.

Monday evening a Halloween party was held by twenty-five young people at the residence of Mr. and Mrs. D. C. Lindsay of Paia. According to tradition supernatural influences must have prevailed in earnest, judging by the sepulchral-looking forms wrapped in sheet and pillow-case that wended their ghostly way from the Frank S. Alexander residence to the adjoining Lindsay home during the early hours of the eve of All Saints. Despite appearances a most jolly evening was spent.

Yesterday at Makawao Court House, Judge Copp sentenced a 13-year old Portuguese boy to a term of five years in the Reform School. The cause of the punishment was given as follows: Friday evening, October 28, the boy stole a horse, saddle and bridle from the premises of W. C. Crook of Makawao, and rode the animal to Kaunapali, where he was arrested by a Lahaina policeman in the act of driving cattle with the stolen horse.

It is stated that the Maui Hotel property of Wailuku will soon revert to its former owner, Carl Waldeyer. The hotel was not the lucrative investment anticipated.

The coal vessel General Fairchild cleared for Port Townsend yesterday. It has been unloading coal at Kaunapali for several weeks past.

Dr. Wall, the Honolulu dentist, is at Kihui.

Wednesday afternoon the Ladies' Reading Club met at the residence of Mrs. H. A. Baldwin of Hamakua. "The American Indian" was the topic. Mr. and Mrs. J. N. S. Williams of Punene and Mrs. Dowsett of Makawao departed for Honolulu today, called by the critical condition of Mrs. Green, who is the mother of Mrs. Williams and the sister of Mrs. Dowsett.

At a polo game played last Saturday afternoon, F. F. Baldwin, H. A. Baldwin, Fred Baldwin and E. Peck won over W. O. Aiken, C. C. Kumbhaara, G. S. Aiken and J. Thompson by a score of 3 goals to 1.

Weather: Several inches of rain on Monday night and Tuesday. Pleasant the remainder of week.

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THE PRINCE MUNIFICENT

He Leaves One Thousand Dollars for Local Charities.

Prince Fushimi of Japan left one thousand dollars with Consul General Miki Saito as a gift to the cause of charity in Honolulu.

One-half of the amount is for the Associated Charities and one-half for Japanese charitable organizations.

The munificence of the gift is befitting the imperial donor, giving a reality to the proverbial term princely applied to such benefactions. This act of Prince Fushimi will make everybody here, from the Governor to the private who turned out in the military escort of the visitor, proud that Honolulu was the first American soil upon which he was welcomed on behalf of the Nation.

Judge Dole overruled the motion for arrest of judgment in the case of Kobayakawa, convicted of unregistered distilling. Attorney L. A. Dickey's ground of demurr was that the kind of distilling was not mentioned. The court finds that it makes no difference. The liquid produced may be vinegar, but if the still is not registered the law is violated.

A SMALL BOY'S DIARY.

There is a certain nine-year-old kid in this city who is keeping a diary. The book was given him last Christmas by a relative, and his father had forgotten all about it until he accidentally found the volume the other day. Curious to see what his small son had written in it, he opened the book and found that the diary had been faithfully kept. Here are a few of the entries:

"I am 9 years old to-day. Looked in the glass, but whiskers ain't sproutin' yet."

"Sassed a boy. Got licked."

"Pop borrid ten cents for car fair, that makes \$1.15 he owes me. Wonder if he ever get it."

"Jimmy—stole my ball. I licked him for it."

"Ast Pop for some of my money and he giv me a nickle. I want that doler."

"We feles got up a baseball club to-day. I'm pitcher. If I had that doler 15 I could get a uniform."

VOTE IT STRAIGHT

Is Advice of Chairman Robertson to Electors.

Today's battle of the ballots is expected by the Republican party to land the majority of their ticket in the legislature.

Chairman A. G. M. Robertson of the Republican Central Committee stated yesterday that a complete victory depended on the Republican voters voting the straight ticket. His opinion as to a forecast of the result of today's balloting hinged upon the "if."

"If the Republicans will vote straight we will make a clean sweep; if they don't, we won't, that's all," said the chairman.

The chairman stated that in East Hawaii the Republicans expected Delegate Kuhio would get sixty per cent of the votes, Notley and Iaukea evenly dividing the balance. The whole legislative ticket in East Hawaii would be elected. In West Hawaii he believes Kuhio and Notley will run about even. Half the legislative ticket may be elected.

With the Democratic and Home Rule fusion on Maui breaking down under clashes of the two parties, Kuhio will take lead and probably win by a small majority. Robertson expects the returns will show that a majority of the legislative ticket is elected.

Kauai is safely Republican.

The chairman considers Oahu to be the vital island. He eliminates the Democrats from the contest believing it is a fight between the Republicans and Home Rulers. Should the Democrats be capable of hanging on to a fair sized number of votes in the Fifth, the Republicans will defeat the Home Rulers.

The Democrats, in his opinion, will tail the procession.

KUHIO DEFENDS ALL HIS ACTIONS

Prince Kuhio defended himself against the attacks of his opponents at noon yesterday, while speaking from the makeshift rostrum on the Bethel and King street corner. He also, sailed into Nakookoo, the Home Ruler who is now under arrest charged by the Democratic party with criminal libel.

In his address Prince Kuhio labelled Nakookoo's accusation against Harvey as utterly false. As Nakookoo had charged the Republicans as well as Harvey with endeavoring to accomplish the disfranchisement of the natives, Prince Kuhio took up the cudgels against Nakookoo in behalf of Harvey.

"How can you believe such a statement, especially coming from a man like Nakookoo. There cannot be a word of truth in it."

"As to Iaukea, I like him personally. He speaks nicely, and all that, but he permits his followers to make all manner of accusations against the Republican party and me. These accusations are false."

Some one in the crowd asked Kuhio if he had not stated that Testa was instrumental in defeating the County act by putting provisions in it which caused the court to annul the bill.

The Prince replied that he had not made the statement as of himself, but that it had appeared in a newspaper, and he had quoted it.

EXECUTIVE ANNEX FOR ELECTION NEWS

An Executive Annex for the reception of election news will be established this evening on the second floor of the Waity building, King street, opposite the Advertiser office.

Governor Carter and Secretary Atkinson will make their headquarters here for receiving returns from Oahu, the other islands and the mainland. Guests of the executive will have provision made for their comfort in the rooms.

Communications will be established between the Annex and the Advertiser or the exchange of intelligence. As fast as returns from any quarter are received they will be displayed by lantern on a screen hung upon the front of the Advertiser office.

REGISTRATION BOARD WORKED YESTERDAY

The Board of Registration sat yesterday afternoon at the Capitol. It settled about fifteen mistakes in registrations of voters. Today the board will sit throughout the polling hours, from 8 a. m. to 8 p. m. in the main corridor upstairs of the Capitol.

ATKINSON'S LAST WORD

Wants People's Fearless Expression Fairly Recorded.

"Everything is ready for the election," said Secretary Atkinson last night. "It has been my aim to conduct all preparations according to law, and the Rules and Regulations governing elections have been closely studied upon all points. There are many contradictory features in the law, that show its need of amendment."

"This is regarded as the most important day in the year for the Hawaiians, and it is my earnest hope that every one of our citizens will be enabled to cast his ballot according to his own wishes and without interference from outside parties. The inspectors of election seem to me to be better qualified for their duties than has been the case on some former occasions. They have been constantly seeking instructions on every possible point where a question of doubt might arise, and I believe it is their wish, just as much as it is my wish, to give the people every right that belongs to them in the way of a secret ballot and an honest count."

"I shall be at my office all day and will expect representatives of all political parties, as well as individual citizens who are not taking so active a part in the day's proceedings, to report promptly to me any infraction of the law that may come under their notice. These shall have my personal attention as it is my aim and object to have an honest election."

"Tomorrow is the day when we can get a fearless expression of the people's opinions, and we want it."

IAUKEA FORGETS HIS PARTY AGAIN

Curtis Iaukea again forgot to which party he belonged at noon yesterday while he was addressing the Bethel street audience, when he shouted:

"My Fellow Home Rulers, etc."

Iaukea did not notice the error and continued his address in perfect innocence of his absentmindedness. Not so very long ago Iaukea addressed the inmates of the Leper Settlement as his "Fellow Republicans."

In his speech yesterday he said the Republicans had nothing to show for benefits to the islands. The County Act was a Republican measure, signed by a Republican Governor and defeated by Republicans. He claimed the Democratic party was the only one which would give the people self-government.

"I was a Republican before, but on account of the party not having fulfilled its promises I left it," he said. "I now stand before you as a Democrat. The Democratic party is the only one that will stand back of the Hawaiian, the country and the Queen. Give the Democratic party a chance to show you what it can do for you."

It was Curtis's appeal in his most persuasive manner.

Iaukea came down to the feature of his speech when he referred to Notley's arrest, and the impression he left was that the Democrats in the event of Notley being elected as delegate, hoped to secure his conviction, so that he could not be seated in Congress.

"I hate to talk personalities," said Curtis. "God in heaven knows that. The Home Rulers have said many wrong things about me and I caused the arrest of Notley, Umanua and Nakookoo. They charge me, while I was Collector-General of Customs, with having done away with a quantity of opium. I deny the charge in toto. They have no proof and will find no proof. At the time when the Home Rulers charge me with having done this deed, I was not in the Custom House but was Commissioner of Public Lands."

"I hope a magistrate will adjudge Notley guilty, so that even if he is elected he will not be able to take his seat in Congress."

BETS IN FAVOR OF REPUBLICANS

Election bets made yesterday were generally in favor of the Republicans.

Joe Cohen bet \$50 even that Cecil Brown would be defeated.

He also laid a 2 to 1 bet that two Republican senators would be elected, and also offered a similar bet on the same basis with the addition that he would name the men to win.

The bets are generally about as follows: Even money that Kuhio will be elected; even money that Iaukea will be defeated by Notley; even money that the Legislature is Republican.

Downsett is a strong betting card, his victory appearing to be absolutely certain to those with betting instincts.

DO NOT BE INFLUENCED.

Never hesitate to say "No" to your dealer if he offers you a substitute for Chamberlain's Cough Remedy. It has no equal on the market for the prompt cure of coughs, colds, croup and whooping cough and you make no mistake in buying this medicine. For sale by all Dealers and Druggists. Benson, Benson, Smith & Co., Ltd., Agents for Hawaii.

APPEAL TO WASHINGTON UPON JUDGES QUESTION

Attorneys for A. W. Carter Do Not Accept Territorial Supreme Court Decision—Several Important Cases Decided.

Attorneys for A. W. Carter, guardian, are going to carry the question of jurisdiction of circuit judges at chambers to the Supreme Court of the United States. They do not accept the construction of Hawaiian judiciary law as affected by the Organic Act which the Supreme Court pronounced yesterday in the Parker case, reported at some length below. Sidney M. Ballou, of counsel for the writ of prohibition that is dissolved, had a writ of error prepared before the day was over to carry the case to Washington.

Nobody had ever found anything wrong with the Hawaiian jurisprudence in its giving jurisdiction of probate and equity matters to judges at chambers. Other systems have probate judges apart from the ordinary law courts and some confer equity jurisdiction on particular judges who preside as well in courts of law. One advantage of the Hawaiian system is that it saves separate court machinery and expenses. However, in the course of a bitterly contested probate case, a circuit judge suggested and attorneys eagerly raised the point that the Act of Congress providing a government for the Territory of Hawaii abolished, at least by implication, all the old Hawaiian laws conferring equity and probate jurisdiction on circuit judges at chambers—that is out of regular court terms with juries in attendance—as well as recognizing such jurisdiction.

The Supreme Court of Hawaii finds the point not well taken and, as the construction of a Federal law is at issue, it is competent for the lawyers contending the contrary to appeal to the highest national tribunal. This they do and the Parker case will be hung up until the final word comes from Washington.

STATUS OF JUDGES.

Circuit Judges at chambers are decided by the Supreme Court to have independent jurisdiction in equity and probate matters, such independent jurisdiction being exercised by such judges as courts of record, and not privately or summarily—the phrase "circuit judge at chambers" being in such case merely a method of describing such courts.

Referring to the contention that the Organic Act impliedly repealed Hawaiian laws giving circuit judges at chambers equity and probate jurisdiction, the syllabus speaks as follows:

"In construing a doubtful provision of an act, other provisions, the act as a whole and its reason and spirit may be considered; also the circumstances under which it was adopted, the history which preceded it and the consequences of proposed constructions; weight may be given to long continued, unquestioned and contemporaneous construction; if the provision is borrowed, the construction placed upon it previously may be considered; repeals by implication are not favored; expressio unius est exclusio alterius."

Chief Justice Frear writes the decision, with the concurrence of Justice Hatch and Circuit Judge De Bolt in place of Justice Hartwell. It is in the matter of the application of Alfred W. Carter, guardian of the property of Annie T. K. Parker, a minor, for a writ of prohibition against the Honorable George D. Gear, Second Judge of the Circuit Court of the First Circuit, at chambers, and J. S. Low, next friend of Annie T. K. Parker, a minor, Ballou & Marx; Kinney, McClanahan & Cooper, and Robertson & Wilder for petitioner; J. A. Magoon and J. Lightfoot for respondents. The decision is that the permanent writ is denied and the temporary writ dissolved. In pursuance of this deliverance Messrs. Magoon and Lightfoot at once filed a motion to set a day for hearing the Parker case on its merits before Judge Gear.

HISTORICAL SKETCH.

The following bit of history relative to courts in Hawaii is given in the body of the opinion:

"Much, as to jurisdiction and procedure, is governed by what may be considered Hawaiian common law—that has grown up without the aid of statute or has been built upon statutes by inference and been recognized by bench and bar and has to some extent been assumed in the enactment of statutes. In fact, the judiciary has developed here, especially in its earlier period, much as it did in early English history, gradually and largely without the aid of statute. There was a gradual separation of judicial from executive and legislative functions, a gradual organization of a judicial system, introduction of trial by jury, separation of law and equity, separation of civil and criminal matters at law, and of equity, probate and admiralty matters at chambers, and of the functions of the judge and the jury, and a gradual development in forms of pleading and practice. This began long before the first constitution, that of 1840, the provisions of which were somewhat crude and meager and but little suggestive of the system, especially so far as the superior courts of record—the governors' courts—were concerned, that then existed and rapidly developed for some years afterward."

"Prior to the constitution of 1840, there were scarcely any statutory provisions relative to the judiciary. After that until the act of 1847, organizing the judiciary, there was little more than the act of 1842, which related chiefly to juries and began: "There are two distinct kinds of courts. One kind where the judges or tax officers decide the case by themselves, and the other kind where they cannot act by themselves, but certain other persons must be associated with them. These persons who are associated with them shall constitute the jury."

"The first comprehensive act covering the judicial system with any degree of completeness was that of 1847. That is largely the basis, directly or indirectly, of all subsequent comprehensive acts relative to the jury. It divided jurisdiction between certain named courts and judges at chambers. "Then came the constitution of 1852, which has been the basis of all subsequent constitutions. It provided in Article 81: 'The judicial power of the kingdom shall be vested in one Supreme Court and in such inferior courts as the Legislature may from time to time establish.' This was followed the next year by the second comprehensive judicial act, drafted, we believe, by the same person who drafted the constitution, Chief Justice Lee. The main object of this act was to conform the laws to the change in the Supreme Court."

"The former Supreme Court, consisting of the king, premier and four chiefs, whose functions had practically ceased, was dropped altogether, and what had previously been the Superior Court of law and equity in name, but had already become practically the Supreme Court as well in reality, was made such in name also. This act also preserves the distinction between the courts and the judges at chambers, in matters of jurisdiction, methods of appeal, etc."

"Next came the Civil Code of 1859, embodying, in Sections 815-1282, a codification of the laws relating to the judiciary, namely, the acts of 1847 and 1852, and a number of subsequent acts of minor importance, but preserving the distinction between the courts and the judges at chambers in language for the most part still in force in the statute books."

"The constitution of 1864 followed, copying for the most part the provisions of that of 1852, including the provision now in question, which was Article 64 of that constitution."

"The constitution of 1887 was copied mostly from that of 1864, and contains the same Article 64. Meanwhile a number of more or less important acts were passed, more fully defining or altering in detail the jurisdiction and procedure, that already for the most part existed, in regard to particular subjects. These are set forth in the compilations of 1884 and 1897, which were not enacted."

"The Judiciary Act of 1892 made some important changes in the organization of the judiciary and the jurisdiction of the courts, but preserved the same distinction between the courts and the judges at chambers."

"The constitution of 1894 copied the provisions of that of 1864 relating to the judiciary with some changes not material to the questions now under consideration. The provision now particularly in question appears as Article 82."

"In view of the fact," the court comments, "that constitution after constitution and statute after statute has been adopted by constitutional conventions and legislatures and accepted without question by bench and bar and the public throughout the sixty-four years of organized constitutional government in Hawaii, recognizing the constitutionality and propriety of provisions such as those now called in question, coupled with the fact that the 'judges at chambers' in the exercise of jurisdiction in equity and probate matters are and have been regarded as courts, and not only that but courts of record, it would be preposterous to hold that the statutes conferring or defining such jurisdiction of judges at chambers would be void under Hawaiian constitutions or immediately prior to the enactment of the Organic Act."

The court analyzes the provision of the Organic Act under which the jurisdiction of circuit judges at chambers is assailed, and finds that Congress did not intend to abrogate any of the Hawaiian judiciary laws by implication. This is shown by the fact that Congress retained of such laws what it intended to retain and abolished what it intended to abolish—no more and no less in either case."

The court further states on information and belief that said circular was issued for the purpose and with the intention of causing the defeat of Cecil Brown.

P. F. RYAN, FRANK J. TURK, W. M. CUNNINGHAM, Late owner of Favorite Saloon, Frank Turk, Late of Lewis & Turk, AND 37 OTHERS.

THE AFFIDAVIT.

Honolulu, Oahu.)

Territory of Hawaii 1888.

The undersigned, P. F. Ryan, Frank J. Turk and W. M. Cunningham, severally and not jointly, each for himself and not one for the other, depose and say:

That a certain circular posted November 6th at the Post Office at Honolulu at 7 p. m. and entitled "Headquarters Good Government Club" and purporting to be signed as follows:

"Good Government Club By Paddy Ryan, Occidental Bar, Wm. Cunningham, Late owner of Favorite Saloon, Frank Turk, Late of Lewis & Turk, AND 37 OTHERS."

is a false and forged circular; that none of the affiants signed such circular, or had any knowledge of it, and that the whole affair is a fake from start to finish.

And further affiants say that said Frank Turk and said Wm. Cunningham are not members of the "Good Government Club."

Affiants further state on information and belief that said circular was issued for the purpose and with the intention of causing the defeat of Cecil Brown.

P. F. RYAN, FRANK J. TURK, W. M. CUNNINGHAM, Subscribed and sworn to before me this 7th day of November, A. D. 1904.

GUSSE H. CLARK, Notary Public First Judicial Circuit, Territory of Hawaii.

Notice: In behalf of the "Good Government Club" of this city, the undersigned offers a reward of \$50.00 for evidence that will lead to the conviction of the parties who forged the name of the "Good Government Club" and the name of the undersigned to the circular a nod to defeat Cecil Brown, posted at the Post Office in Honolulu at 7 p. m. November 6th, 1904.

P. F. RYAN.

August Ahrens has resigned the position of manager of Oahu Sugar Co.'s plantation, which he has filed from the beginning of the enterprise. He was formerly the manager of the Waiwae plantation.

RYAN NAILS A CANARD

Good Government Club Denounces Brown Circular.

The Good Government Club was aroused yesterday over the circulation of a printed letter against Cecil Brown which purported to have been signed by P. F. Ryan, Wm. M. Cunningham, Frank Turk and thirty-seven others.

The owners of the names mentioned denied positively having had anything to do with the circular and denounced it as a canard. The three gentlemen swore to an affidavit to this extent.

The circular was sent through the mails in what purported to be "Good Government Club" envelopes. As the club has had no stationery of the kind yet, this was a fake on the face of it. The circular and the affidavit are as follows:

Headquarters Good Government Club, Room Occidental Bar, Corner King and Alakea Streets.

Dear Sir:

May we call your attention to the "Good Government Club" ticket as advertised by the posters about the city? We are in the field on behalf of more liberal legislation in the interests especially of the retail liquor dealer who pays his license and is therefore entitled to fair consideration. They are now unjustly restricted to certain localities and hours and have to follow up an undue amount of red tape in securing a license. Thus is a legitimate calling hampered by the present officials and their party.

We are particularly anxious to see in the legislature a gentleman well known to all—Mr. Cecil Brown. Mr. Brown has shown in the past that he is a public man of liberal views. When in the queen's cabinet just before the overthrow he favored a bill to license ovens. In the session of two years ago he advanced the extension of the city water system by the expenditure of over \$200,000 for the Puuoa springs. It was afterwards learned that this price was too high, as the owner swore to a valuation of \$5,000 for tax purposes. However, it shows positively that Mr. Brown is an impartial man and such a man as square minded people wish to see in the legislature. Besides being endorsed by this club, Mr. Brown is endorsed by the Democratic party. Mr. Brown declares that it will be his course to fight both tooth and nail Governor Carter and the Republicans in their plans to carry out the Republican platform. Our candidate is a man of affairs, being at the head of the only meat company here, the only telephone company and a bank.

Mr. Brown has been a legislator twenty-five years and knows all about it. He believes in Honolulu being opened up somewhat, and as he is opposed in this by a lot of out-of-date people, we ask your assistance in returning him to the senate to lead the fight against Governor Carter and his narrow minded backers.

Yours truly, GOOD GOVERNMENT CLUB.

By PADDY RYAN, Occidental Bar, Wm. Cunningham, Late owner of Favorite Saloon, FRANK TURK, Late of Lewis & Turk, AND 37 OTHERS.

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P. F. RYAN.

August Ahrens has resigned the position of manager of Oahu Sugar Co.'s plantation, which he has filed from the beginning of the enterprise. He was formerly the manager of the Waiwae plantation.

KINNEY IS NOT SO SURE

Claims Hawaiians Are Not Deserting His Party.

The hopes of the Democrats in today's election are expressed by chairman Kinney, who states that Roosevelt will probably be elected, and that they hope to elect Cecil Brown, as well as to win a victory for Iaukea and the Democratic ticket in general. Kinney's statement issued yesterday is as follows:

"I have admitted publicly that the chances appeared to be in favor of Roosevelt as against Parker, which admission is generally considered poor politics on my part. The admission was deliberate and to impress upon the Hawaiians."

"First—That we were dealing with absolute honesty with them, and."

"Second—That there was little use for them to turn Democrats or to expect recognition from the Democratic party on the mainland if their only motive was to get in on the winning side."

"The Democratic Central Committee have further taken the position that the Democratic party, even if it loses the presidential election, has ample power left to protect the Hawaiian people from any injustice or abridgment of their rights if anything of that kind is attempted. The Democrats have urged the Hawaiians to come into the Democratic party and to stay with it rain or shine, and not to come in until they were ready to do so."

"The Democratic Central Committee now state it to be their conviction that they have made more progress by taking the above position, than they would in unjustifiable contention that Parker was sure of election. We have not said and do not say now that he is sure of defeat. We simply say that it looks to be in favor of Roosevelt. But if Parker is elected it will not be the first surprise of the kind that has happened in American politics."

"We further state that the arrest of Home Rule leaders for circulating gross libels against the Democrats on the eve of election has resulted in bringing great support to the Democratic party particularly among Hawaiians. The wholesale desertion by Hawaiians of the Democratic party alleged by opponents is absolutely untrue. That the contrary is the truth is sure on the island of Oahu. The other islands have not yet been heard from."

"We predict the defeat of the Home Rule party on the island of Oahu barring perhaps two representatives in the Fifth. Our canvass shows that Harvey and Waller are elected, also that Cecil Brown, despite the concentrated efforts of the administration to beat him, if no one else, is a winner. The count also shows that the Democrats will elect more members from Oahu to the House of Representatives than any other party. Our last reports from Kauai show a Democratic plurality for Delegate, otherwise a split ticket. Molokai we claim will go Democratic for Delegate, otherwise a split ticket between the three parties. Our information from Hawaii is that Shipman and Frank Woods are elected, and that otherwise the representative ticket will be split up with representation from all parties. We expect to hold our own as to Delegate on the island of Hawaii and the island of Oahu, and upon the information at hand at this hour, and according to conditions as they exist or existed from the last reports from the other islands, we claim we have substantial grounds for making the foregoing prediction."

Yours truly,

GOOD GOVERNMENT CLUB.

By PADDY RYAN, Occidental Bar, Wm. Cunningham, Late owner of Favorite Saloon, FRANK TURK, Late of Lewis & Turk, AND 37 OTHERS.

THE AFFIDAVIT.

Honolulu, Oahu.)

Territory of Hawaii 1888.

The undersigned, P. F. Ryan, Frank J. Turk and W. M. Cunningham, severally and not jointly, each for himself and not one for the other, depose and say:

That a certain circular posted November 6th at the Post Office at Honolulu at 7 p. m. and entitled "Headquarters Good Government Club" and purporting to be signed as follows:

"Good Government Club By Paddy Ryan, Occidental Bar, Wm. Cunningham, Late owner of Favorite Saloon, Frank Turk, Late of Lewis & Turk, AND 37 OTHERS."

is a false and forged circular; that none of the affiants signed such circular, or had any knowledge of it, and that the whole affair is a fake from start to finish.

And further affiants say that said Frank Turk and said Wm. Cunningham are not members of the "Good Government Club."

Affiants further state on information and belief that said circular was issued for the purpose and with the intention of causing the defeat of Cecil Brown.

P. F. RYAN, FRANK J. TURK, W. M. CUNNINGHAM, Subscribed and sworn to before me this 7th day of November, A. D. 1904.

GUSSE H. CLARK, Notary Public First Judicial Circuit, Territory of Hawaii.

Notice: In behalf of the "Good Government Club" of this city, the undersigned offers a reward of \$50.00 for evidence that will lead to the conviction of the parties who forged the name of the "Good Government Club" and the name of the undersigned to the circular a nod to defeat Cecil Brown, posted at the Post Office in Honolulu at 7 p. m. November 6th, 1904.

P. F. RYAN.

It is rumored that upon the expiration of his contract with the Alexander Young Hotel in August of next year H. Wingate Lake may retire from its management and take a hotel on the coast. It is said that had circumstances been permitted, Mr. Lake could have had the management of the St. Francis hotel in San Francisco.

Yours truly,

GOOD GOVERNMENT CLUB.

By PADDY RYAN, Occidental Bar, Wm. Cunningham, Late owner of Favorite Saloon, FRANK TURK, Late of Lewis & Turk, AND 37 OTHERS.

FOR A RIOT AT WAIALUA

Four Chinese Are Now on Trial By Jury.

(From Sunday's Advertiser)

The Waiailua riot case was on trial before Judge Gear all day yesterday. Deputy Attorney-General M. F. Prosser appears for the Territory. A. S. Humphreys assists E. A. Douthett as counsel for the defendants. Chun Lun, Akin, Ng In and Sam Yau are charged in the indictment with having assembled at Waiailua on July 27 last, "armed with clubs, sticks, stones and cane knives, and, with tumult and violence tending to strike terror into others, joined in unlawfully, feloniously, maliciously and riotously assaulting one Wong Chuck Lung, and then and there beat, wound and otherwise illtreat him to his great danger, hurt and injury."

OTHER CRIMINAL CASES.
The arraignment of Arroyo for murder was put off from time to time throughout yesterday, the latest hour being four o'clock. As no Spanish interpreter had been obtained the case was further continued.

The motion for continuance in the Naone murder case and pleas in the cases of Lupine Gomez, Mary Manu and Akiona, for different offenses, were continued until 9:30 Monday morning.

MOANA HOTEL DRINKABLES.
Judge De Bolt yesterday heard the replevin suit of Hawaiian Trust Company, Ltd., vs. A. M. Brown, High Sheriff, for a quantity of wines and liquors valued at \$1500, which it was alleged was seized by defendant on June 1, 1904, while plaintiff was in the lawful possession thereof, being then the owner in rightful possession of the Moana Hotel at Waikiki.

At the time of the seizure, the complaint said, the business of the hotel in the sale of wines, liquors, etc., was especially profitable, as defendant well knew. Besides asking for a return of the goods, or an alternative judgment for their value, the plaintiff claimed \$5000 damages for injury to the hotel business.

H. E. Cooper and S. H. Derby appeared for plaintiff, and H. G. Middle-ditch and A. M. Brown for defendant. On the conclusion of plaintiff's case just before noon, Mr. Middle-ditch stated the grounds of a motion for nonsuit which he would argue after recess. These were in effect that less title than ownership had been shown by plaintiff, and that the goods mentioned in the complaint had not been identified as those covered by the mortgage held by plaintiff.

Mr. Heitsche, manager of the Moana Hotel, called by the plaintiff testified that about the time of the seizure the bar receipts averaged \$60 a day and the hotel as a whole was taking in about \$180 a day. The presence of Admiral Glass's fleet in port materially helped the business of the Moana Hotel Co. just at the time it was interrupted by the seizure in question.

After recess the motion for nonsuit was denied and evidence for defendant was put on.

ENGLISH HEIRS PAID.

George H. Robertson, administrator of the estate of Elizabeth Barnes Maynard, late of Brighton, England, has filed his final account with a petition for discharge. He received \$8672 and paid out \$8774, leaving a balance of \$38. The receipts came from the sale of McBryde bonds and C. Brewer & Co. stock, together with interest and dividends prior to sale, and the payments are shown in remittances to the heirs in England and expenses of administration.

LARGE PROPERTY SUIT.

Elizabeth K. Meyer of Kalae, Molokai, has brought suit in equity to cancel and set aside a written instrument against Jesse Makainai. Complainant shows that prior to Sept. 3, 1903, her aunt, Mary Auld of Honolulu, was possessed of certain pieces of land at Kailua, Honolulu, which are described in the complaint, and that on the day just mentioned Mary Auld died, by proper deed of conveyance, convey unto complainant all of the described property. She shows further that on June 20, 1900, Mary Auld and her husband, the late William Auld, entered into an agreement in writing with the respondent, Jesse Makainai, that they would sell the same described property to him for \$5000. This amount was to be paid within two years after the expiration of the last lease on the property. The sum of \$5000 was to be paid on execution of the agreement. During the life of the agreement Makainai was to pay to Mary Auld \$500 every year until the termination of certain leases on the property. Rentals were to be paid to William and Mary Auld and not included in the purchase price. The \$500 a year was to be credited on the purchase price to Makainai.

During the years 1900, 1901 and 1902 Makainai performed the conditions of the agreement, but during the years 1903 and 1904 he has utterly failed, neglected and refused to pay to Mary Auld, to the complainant, or to any other person or persons on their behalf, the \$500 a year stipulated in the agreement.

Complainant prays that the agreement may be cancelled for conditions broken, that Makainai forfeit the moneys paid as the agreement provides and that she be given such other relief as the court deems equitable.

THE HARTS EJECTED.

In the suit for summary possession of Oahu Railway & Land Co. vs. Lionel R. A. Hart and Elizabeth Hart, the following decision has been rendered by Judge Robinson:

"This is an appeal from the District Court of Oahu. The appeal of Lionel R. A. Hart was dismissed upon motion,

it appearing from the record that judgment in the court below had been rendered against him by default. As regards the defendant, Elizabeth Hart, I find that she is in possession of the premises in controversy, having taken possession as tenant from month to month under H. M. von Holt, executor of the estate of Frank Brown, deceased; that upon the landlord's interest being sold by von Holt to the plaintiff corporation she became tenant at will of the plaintiff, and that the statutory notice to vacate has been given her by the plaintiff, and, therefore, find for the plaintiff for a restitution of the property with costs."

DISCHARGE OF GARNISHEE.

Judge Robinson, after holding an examination of the garnishee in the suit for rent brought by Otto S. Meyer and Harvey R. Hitchcock against the Kamalo Sugar Co., Ltd., defendant, and Arthur Mouritz, garnishee, made an order discharging the garnishee. It appeared to the court "that at the time of service of said summons in said action upon said garnishee, the said A. Mouritz had not nor has he now in his possession or control any money or property belonging to the Kamalo Sugar Co., Ltd., defendant above named, and was not and is not now indebted to said defendant, and that said A. Mouritz, garnishee, is entitled to be discharged." Geo. A. Davis appeared for plaintiffs, and J. Lightfoot and Ballou and Marx for defendants.

The suit was brought with the object of attaching for payment of rent claimed, the purchase price of the Mapulehu land bought by Dr. Mouritz at the assignee's sale of the Kamalo Sugar Co.'s property.

"DEAD HORSE."

Execution for \$400.00 in the suit of John Ena vs. Honolulu Investment Co., Ltd., is returned as unsatisfied, due and diligent search for any personal or real property which the defendant might have within the First Judicial Circuit having resulted in the finding of nothing.

COURT NOTES.

Judge Robinson denied the motion in the ejectment suit of Solomon Kahawai vs. D. Kukea and Ku to quash the alias summons issued to Ku.

Judgment on default has been given in the assumpsit suit of John Charles Johnston vs. W. C. Achi, awarding the plaintiff \$207.55 damages and his costs taxed at \$10.93.

Another stipulation in the case of Bierce vs. Hutchins et al. relative to the Kona plantation, extends the time to answer until November 11.

A MAUI OBSERVER HAS A

WORD WITH F. O. ATHERTON

Haiku, Maui, Nov. 4, 1904.

Editor Advertiser: I have been much

interested in reading the letter of Mr.

F. O. Atherton on small farming in

Kula and in your editorial reply to same.

I most sincerely agree with you that

our islands here are full of latent pos-

sibilities in the way of profitable agri-

culture, and only need such energy, push,

and skill as can be found on the main-

land to make clear the advantages that

are now not half appreciated. There

has been little necessity and no system-

atic effort on the part of capable farmers

to get out of the soil on these islands

what is certainly in it, except by the

sugar men who do have the push and

the energy and the ability to make even

"condemned" lands "produce profitable

and in some cases heavy returns of

sugar. Certain localities have, however,

bailed the best efforts, and most capable

management has been totally unable to

bring profitable returns from the land

and these plantations have finally been

abandoned. Again certain plantations,

previously unprofitable, have with either

change of variety of cane or with change

of management and methods become

profitable, and in some cases have be-

come profitable to a degree almost in-

credible. The point I wish to make is

simply that no one single locality or

one single class or community of farm-

ers can by either success or failure,

prove or disprove that our islands as a

whole are not open to profitable farm-

ing, or "minor industries." Mr. Atherton

seems to have stayed pretty much at

home when he was lately in Kula, for

if he had but carried his investigation

a few miles further this way into the

Kaupakalua district, he would have

found a prosperous community of con-

tented Portuguese small farmers, whose

homes, whose faces, and whose clothes

show their prosperity without any need

of questioning. This community is grow-

ing every year, perhaps some of the Kula

farmers have moved down, and I hope

so for I think the advantages in this

district are certainly better than those

the average American farmer can secure.

Mr. Atherton says that a pineapple

factory has been set up at Haiku and

compliments the company on turning out

a "fine article," but goes on to say that

"how much profit there will be in merely

the raising of pineapples by the small

farmer remains to be proved." In this

I take issue with the Banker, for pine-

apple growing on the islands is long

past the experimental stage, in fact it

is about proved that the Hawaiian Is-

lands produce the finest and largest pine-

"best" of all the many that frighten the

timid, that has yet appeared, in any de-

gree to seriously affect the pineapple crop.

The small farmers about here have al-

ready for years been raising pineapples

profitably, but now with a factory close

at hand which will gladly take all their

surplus at good and profitable prices I

consider that at least this one industry in

this district is certainly a very profitable

one for the small farmer. But pineapples

are not the only successful crop besides

sugar cane that will grow here; there

is much else and it is being demonstrated

slowly but surely here and there by able

and capable agricultural men in the

islands of which there is a small mi-

nority, and with encouragement and

fostering these industries will grow

and expand as surely as the sugar in-

dustry has grown and expanded.

Yours Very Truly,

H. A. BALDWIN.

Yesterday's stock quotations in San

Francisco, as received by the Henry

Waterhouse Trust Co., Ltd., are as fol-

lows: Hawaiian Commercial & Sugar

Co., sales \$77.50, bid quotation \$75.00;

asking price \$75.00; Honolulu, \$15.00;

Common, \$12.50. Pollitt & Co. state that

the San Francisco market is active and

advancing.

WILLIAMS, DIMOND & CO.'S LATEST SUGAR CIRCULAR

San Francisco, Oct. 28, 1904.

Sugar.—No changes have since oc-
curred in the local market or for ex-
port to Alaska and Hawaii, prices
previously advised still being in force.
Basis.—Sept. 15th to Oct. 7th, no
sales; Oct. 8th, spot sale 300 tons at
4 1/4c, since which no sales, establish-
ing basis for 96 degrees centrifugals
in New York on that date 4.25c; San
Francisco, 3.475c.

London Beets.—Sept. 16th, 10s 7 1/2-13;
15th, 10s 8 1/4-14; 19th and 20th, 10s 9s;
21st and 22nd, 10s 11 1/4-14; 23rd, 11s
3-4d; 24th, 11s 1 1/4-2d; 26th, 11s 27th,
11s 1 1/2-2d; 28th to 30th, 11s 3d; Oct.
1st, 11s 6d; 3rd, 11s 4 1/4-2d; 4th, 11s
3d; 5th, 11s 3-4d; 6th, 11s 2 1/4-4d; 7th,
11s 3-4d; 8th, 11s 2 1/4-4d; 10th and 11th,
11s 3-4d; 12th, 11s 13th and 14th, 10s
10 1/2-13; 15th to 19th, 11s; 20th and
21st, 11s 3-4d; 22nd and 24th, 11s; 25th,
10s 10 1/2-13; 26th and 27th, 11s; 28th,
11s 2-4d.

New York Refined.—Quotation 5.15c
net cash in barrels, equivalent to 5.10c
net cash in bags, established Sept. 1st,
continued in force until Oct. 3rd, on
which day a decline of ten points oc-
curred, followed by an additional de-
cline of ten points Oct. 5th, and again
ten points Oct. 10th, while on Oct.
25th an advance of five points oc-
curred, establishing a price on that
date now maintained of 4.90c net cash
in barrels, equivalent to 4.85c net cash
in bags.

London Cable.—Oct. 22nd quotes
Java 96 degrees test 12s 3d. Fair re-
fining 11s against 9s 9d and 8s 6d re-
spectively same date last year. Novem-
ber beets 1s 14 1/4d against 1s 8 1/4d—
1-4d—corresponding period previous
year.

Latest Statistical Position.—Willett
& Gray report U. S. 4 ports in all
hands, estimated Oct. 19th, 152,105 tons
against 139,193 tons—same date last
year, 6 ports Cuba, estimated Oct.
18th, 5500 tons against 133,000 tons—
corresponding period previous year, United
Kingdom, estimated Oct. 15th, 68,000
tons against 114,064 tons—correspond-
ing period previous campaign. Total
stocks in all the principal countries, by
cable Oct. 20th, at latest uneven dates,
798,605 tons against 1,237,257 tons; de-
crease from last year 438,652 tons.

Eastern and Foreign Markets.—A

quiet, firm market for raws has been

maintained throughout the period un-

der review. The situation in some

respects is peculiar, the offerings of

cane sugars having been on a very

moderate scale and even Demeraras do

not attract any particular attention.

Cuba at this juncture exerts no active

influence on the market, the crop there

being virtually exhausted, while Javas

have been practically absorbed, the only

unsold near-by cargo of Javas be-

ing held for 10s 10 1/2-12c f. l. equal to

4 5/16c duty paid. Neither buyers or

sellers evince any anxiety to consum-

mate transactions and the present in-

activity is likely to continue until the

advent of the new Cuban crop. Ref-

iners are well supplied for immediate

requirements and the customary cur-

tailment of refined at this season of the

year has begun. A recent storm in

Cuba occasioned no damage to the

cane fields, while on the contrary, the

abundant rains which fell proved quite

beneficial and the prospects are favor-

able for some increase over last year's

production. The new Louisiana crop

is still green and only one-quarter of

the factories are grinding, according to

information recently received. New

crop prospects are favorable and the

out-turn is estimated at 340,000 tons.

Quotations in Europe have continued

to decline to a slight extent throughout

the present month, but a firmer ten-

dency has been exhibited lately. Mr.

F. O. Licht's estimate of the present

European beet crop was announced

15th inst. as 5,120,000 tons, which

represents a decline of 732,000 tons

from the results of the preceding crop.

The markets stiffened upon the an-

ouncement of Mr. F. O. Licht's fig-

ures, but they subsequently became

quieter and the situation abroad does

not appear to present any features of

special interest.

A dull market for refined has ruled,

the trade adopting a strictly hand-to-

mouth policy and an easier tone is in

evidence, according to latest mail ad-

vice from New York under date of

the 22nd inst.

Charters.—Transactions for grain

since our last review have continued

on a limited scale and rates are more

or less nominal at 21s 3d orders from

this port and 25s to 26s 3d orders from

the North, and owing to the depres-

sion in grain freight, rates for lumber

have again declined, last charter for

Sydney being at 28s 9d January load-

ing, and 31s 3d Melbourne, Adelaide

or Port Pirie.

Exchange.—London demand, 44.57

1-4; London 60 days, 44.84 1-2; New

York regular, 50c; Telegraphic, 7 1/2-2c.

Coffee.—Stock of Hawaiians in first

hands today is 3738 bags. We quote:

Piney, 13c to 14c; prime, 11 1/2-12c

1-2c; good, 10c to 11c; fair, 8c to 9c;

inferior, 6c to 7 3/4c; peaberries, 9 1/2-12c

to 10 1/4c.

Market for Hawaiians remains quiet

and prices unchanged—largely nominal

for all grades held above 11 1/2c. The

THE LOWER CRITICISM.

How a South Sea Chief Got Mixed About Adam.

The mission to the Mooga Islands had been assigned to the Rev. Wilfred Dragg, and he was taking leave. "You will find the natives hospitably inclined, and rather a superior race," said the secretary, as he bade farewell to the Rev. Wilfred Dragg. "They are intellectually acute, and capable of much development under the right influences."

Mr. Dragg, upon arriving in the islands, found that the secretary's estimate was correct. The Moogians had none of the subservience or puerile reverence many natives feel toward the white races. They welcomed the missionary cordially, assigned him a neat hut with a kitchen garden, and seemed especially respectful of the comfort of Mrs. Dragg. The young missionary couple decided that their lot had fallen in pleasant places, and this impression was strengthened as time went on. Learning the language brought closer acquaintance with their new charges, increased the cordiality of intercourse, and also put into the power of Mr. Dragg the means of their religious and moral training.

Before actually establishing a church and holding services, the missionary felt the need of imparting certain elementary instruction, and decided that something in the nature of a Bible class would be a good beginning. He did not think it prudent to break ground with the chief, and believed the wiser course was to plant the first rudiments of instruction in the chief's family. Fortunately, this was a simple matter, since the chief's favorite wife and her eldest son, a child of twelve, were almost daily visitors to the missionaries' home.

Albala, the wife, was a very intelligent woman, with a keen sense of humor, and much kindness of disposition. Mrs. Dragg had become very fond of this dusky little gossip, and the two chatted over their sewing as freely as if of one race and one faith.

Mr. Dragg consulted his wife, "I have made up my mind," he said, "that we now speak the vernacular with sufficient readiness to enter upon some Scripture and moral instruction. I came, my love, to ask your advice. It seems to me that I can hardly do better than to begin my work in this field by some suitable elementary lessons in Biblical knowledge. I should, of course, prefer to secure a hearing from the chief himself, yet I fear to excite opposition or suspicion. But his consort, Mrs. Albala, has already a certain feeling of friendliness for us, and perhaps it would be wise to begin with her."

"I agree with you entirely, Wilfred," Mrs. Dragg said. "She is coming, too, to-day, to spend the morning. Perhaps you might make a beginning, and meanwhile I will amuse the little boy. I can take him out upon the veranda, and you may make a school-room of the sitting-room here."

The plan was carried out at once. When Albala arrived and was settled cross-legged upon the matting, engaged in weaving a belt for her lord and master, Mrs. Dragg coaxed the dark son of barbarism out upon the veranda, and the Rev. Wilfred Dragg began his lesson.

"Albala," said he, "did you know that we white people have a good book that tells us about the long past time when men were first on the earth?"

"His language was simple perforce, as his Moogan vocabulary was limited. She showed her white teeth in a pleasant smile.

"Yes," said she, "your wife has told me a little."

"Some day," he went on, "I shall teach you all to read this good book for yourselves. But would you now like to know some of the stories it contains?"

"Oh, yes," Albala said, nodding eagerly. "I love to hear good stories!"

"Then listen," Mr. Dragg began, "and I will tell you of the first man and the first woman that lived."

With this preliminary, he made a rapid summary of the early portion of Genesis, passing lightly over the creation of the world, of the plant and animal life, and reaching as soon as possible the Garden of Eden, the blessedness of which he sketched as brilliantly as his memory of "Paradise Lost" permitted.

Albala was delighted. "Beautiful garden!" she said. "I love the beautiful garden! And the man Adam and Eva his wife had it all to themselves! Nothing to bother them, and all day to do whatever they pleased!"

"Yes," Mr. Dragg agreed, "they surely must have been very happy, so long as they were good."

"And why not good?" Albala said. "They could do whatever they liked. How could they do wrong?"

"I will tell you," answered Mr. Dragg, impressively. "There grew in the middle of the garden one tree with beautiful fruit, and that fruit would not be good for them to eat. So the Great Spirit told them that they must not eat of this fruit, and that it would kill them if they did eat it."

Albala stopped her work, and looked very sad.

"Yes," Mr. Dragg repeated, "there was one forbidden tree. And though they had the whole garden for their pleasure, yet Adam and Eve disobeyed their Lord's command, and I'll tell you how it happened."

Albala listened with bated breath to a moving character sketch of the Satanic serpent and his wife, Eve's bewitchment followed, then the condemnation, the expulsion from Paradise, and the entailed curse on mankind.

Mr. Dragg told the story with dramatic power, and kindly Albala was affected to tears of sympathy for the father and mother of mankind.

Thus the lesson ended, the pupil warmly thanking the missionary for his beautiful story, and then hastening homeward to the midday meal, accompanied by her son and heir.

"How did she like the lesson?" Mrs. Dragg inquired, as she sat down to the luncheon table with the missionary.

"It was a perfect success," he replied with enthusiasm. "Imagine, my dear, she wept bitterly over Adam and Eve's transgression and its punishment! Naturally, I was highly gratified. Who can

foresee the result of so favorable a beginning?"

"Then I do not regret my morning," said Mrs. Dragg, "though I ought to have been at my mending. But I knew that the youngster must be kept away."

"He was as quiet as a mouse," Mr. Dragg remarked. "How did you manage to find him exceedingly restless?"

"He loves stories," the missionary's wife replied, "and will keep still so long as he hears one. So I brushed up my memory of the nursery classics, and gave him as spirited a version as I could manage on the spur of the moment of an old favorite of my own. I told him the strange and marvelous experiences of Fatima, the unhappy wife of the bloodthirsty Bluebeard."

"What a remarkable contrast," observed Mr. Dragg, laughing. "Sacred literature within doors, and profane literature outside!"

"Still it teaches the child and amuses him," his wife replied. "Perhaps the cruelty and the unreasonableness he learns to hate in Bluebeard may become something to avoid in himself when he becomes chief of his father's stead."

"Very true," her husband admitted. "You have a wise little head, and have taught an excellent moral lesson."

That afternoon, while the missionary was out in his garden, he was surprised by a visit from the chief of the Moogias.

"Greetings, white friend," remarked the chief, leaning his big spear against the bamboo fence. "I learn from Albola and from my son that you and your woman are great makers of stories."

Mr. Dragg looked up a little uneasily, but the broad grin on the chief's face was reassuring.

"Yes," he replied with more confidence, "we had a long talk this morning."

"I love stories," the chief said, still leaning on the fence, "and I tried to tell my wife and my boy to tell me the story they heard. But they do not tell it straight. I would like to hear the story again."

"Ah," thought the missionary. "Now is my opportunity!" and stepping forward he opened the gate, smiled, and invited the chief to enter. Leaving his spear outside, the chief entered, and sat upon the edge of the veranda where Mrs. Dragg, in a rocking-chair of native manufacture, was busy over her mending-basket.

"I could not make it clear to myself about the story," the chief said. "Albala spoke of a great garden; the boy of a great house. Albola told of a Great Spirit; the boy of a great lord. Then they made other mistakes. One spoke of a tree with delicious mangoes; the other of a room with a locked door, and both were forbidden. And in both the wife, led by wicked counsel, disobeyed the lord that had been so kind and had given all that heart could desire; she opened the locked door and she ate of the fruit that was within. And then, for her ingratitude to one that had asked of her but one little bit of obedience in return for complete freedom and kindness in all else, the woman and her husband were punished. So much is all clear and right. It is true that Albola and my son do not quite agree, yet the idea is much the same."

Mr. and Mrs. Dragg listened in breathless amazement. They longed to interrupt, but the chief gave them no opportunity as yet.

"But only so far do they agree, and so I have come to hear the truth from my white friends. Now here is where they take different roads. Albola my wife says that the great lord who gave the command and the punishment was good and kind and just, and that the woman who after being kindly treated, disobeyed, was sinful and wrong, and deserved her punishment. But my son says that is all wrong. He says that the chief who gave the command was a wicked chief, that the poor woman did only a small wrong, and that the punishment was cruel and wicked."

"Ah!" thought the missionary. "Now is my opportunity!" and stepping forward he opened the gate, smiled, and invited the chief to enter. Leaving his spear outside, the chief entered, and sat upon the edge of the veranda where Mrs. Dragg, in a rocking-chair of native manufacture, was busy over her mending-basket.

"I could not make it clear to myself about the story," the chief said. "Albola spoke of a great garden; the boy of a great house. Albola told of a Great Spirit; the boy of a great lord. Then they made other mistakes. One spoke of a tree with delicious mangoes; the other of a room with a locked door, and both were forbidden. And in both the wife, led by wicked counsel, disobeyed the lord that had been so kind and had given all that heart could desire; she opened the locked door and she ate of the fruit that was within. And then, for her ingratitude to one that had asked of her but one little bit of obedience in return for complete freedom and kindness in all else, the woman and her husband were punished. So much is all clear and right. It is true that Albola and my son do not quite agree, yet the idea is much the same."

Mr. and Mrs. Dragg listened in breathless amazement. They longed to interrupt, but the chief gave them no opportunity as yet.

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missionary, and then at Mrs. Dragg's great drops of sweat were on the missionary's brow.

"You see," said the chief, "it is impossible that they can have remembered right. Now which is right?"

An answer became necessary for he called. "You see," said Mr. Dragg, "there were two stories. I told one, and my wife the other."

"Ah," said the chief; but in a moment his brow clouded again. "They are varying forms of the same tale, no doubt. We have such tales of the animals, of the gods, of the winds—different in many small ways, but the same in teaching."

"But these," said Mr. Dragg, "are entirely different. One is a made-up story; the other is truth from our good book."

"And which is the truth?"

Mr. Dragg gave a hastily corrected version of the Garden of Eden episode. The chief lent his respectful attention, and then turned expectantly to Mrs. Dragg. With a sinking at her heart, Mrs. Dragg gave the salient facts of the Bluebeard scandal.

"Now," said the chief, "I understand all clearly, and I see how easily the two stories went into one, as I heard them in my two ears. But yet I can not see why you, my white brother, make the lord of the garden a good, just, and kind chief; and why you, my white sister, declare the lord of the castle a wicked, bloodthirsty wretch. Both gave a happy home; both gave all freedom except in one little command; both were disobeyed; both inflicted punishment. Your Bluebeard tried only to chop off the woman's head; but the Great Spirit punished not only the man and the woman, but laid a curse upon their children forever. And you tell me one is all good, the other all bad. I am afraid that I shall not remember which is which."

For their lives, neither the missionary nor his wife could formulate an immediate reply.

"Farewell!" said the chief, and he was gone.

After the retiring form of the stalwart chieftain had disappeared from view, there was a long silence upon the veranda of the missionary's hut.

The Rev. Mr. Dragg mopped his perspiring forehead. "My dear," he said, "we shall never get over this. That benighted savage will cling to that awful parable to the end of his natural life. Bluebeard and Jehovah!—isn't it terrible!"

"But can't we skip the Garden of Eden story?" Mrs. Dragg suggested after a pause.

"I don't see how. Without Adam's fall, there will be an awesome gap in the Old Testament theology, and—Really, I don't see my way clear, I'm afraid our mission here is a foregone failure."

And he was right. With the chief there was no escape from the dilemma upon which he had impaled the missionaries; he greeted all their explanations with an indignant smile, remaining unmoved.

Before many months, the Rev. Wilfred Dragg resigned the Mooga Islands mission, and sailed for home, convinced that missionary work was not his special forte.

TUDOR JENKS.
San Francisco, September, 1904.

DEMOCRACY AT AALA PARK

(Continued from page 1.)

Still, it showed to what the Republicans would stoop to draw a crowd. "Vote straight and show your approval of such conduct." The Home Rulers when in power did nothing. The Republicans are ashamed of some of their work. The County Act for example. Iukaia ended with the usual straight vote plea.

S. K. Kaloa gave a resume of the work that had been done on all the Islands.

WALLER.

G. J. Waller said that the Republicans had looked in vain for a weak spot in the Democratic platform and so had turned to personalities, a sure sign of weakness. The Democrats had conducted the campaign on their platform and their strength was shown by Carter's return of the undated resignations of the judges and the getting permission to go to Kalaupapa. The addresses of the Democrats have been ridiculed but their arguments have not been met successfully. Mr. Waller spoke of the "Star's" quotations from his speech of the other night and said that its reasoning to show that he was inconsistent was wrong as it took simply a few lines and did not show their relation to the rest of the speech. He asked all to go to the polls in an orderly manner as they had shown at the meetings. He asked all to vote for Brown and the regular Democratic ticket. Should they win it would be a protest against the autocratic rule of the present administration and a rebuke is needed.

CUMMINS TRUSTEE HELD RESPONSIBLE

Judge De Bolt's decision in the matter of the estate of Thomas Cummins, deceased, is set aside by unanimous opinion of the Supreme Court, constituted by Chief Justice Frazar, Justice Hartwell and Circuit Judge Gear in place of Justice Hatch, disqualified.

The opinion is written by Justice Hartwell. M. F. Prosser and R. W. Bracke-one appeared for the appellants, and Cecil Brown and Ballou & Marx for the appellees.

The decision of Judge De Bolt found that forty shares of stock in the Waialua Sugar Co. were rightfully purchased by Thomas J. Cummins, one of the deceased named in the title of the case. This stock purchase was made by J. O. Carter, of Thomas J. Cummins in his lifetime, the business agent and after his death the executor of his will.

Some new Waialua stock had been issued, and shareholders at the time

were privileged to obtain it, pro rata of their holdings, at par value. There was some stock belonging to the estate of Thomas Cummins, of which estate Bruce Cartwright was the trustee.

Thomas J. Cummins had a life interest in the estate. Cartwright's business representative, while he was absent, delivered the order for the extra stock coming to the estate, being forty shares, to J. O. Carter, who thereupon obtained the stock from C. Brewer & Co. on payment of \$1000, the par value, and Carter sold it at an advance of \$50 a share clearing \$2000 for the estate of Thomas J. Cummins.

Maria King and Elizabeth Fairchild, beneficiaries of the will of Thomas Cummins taking the estate after the death of their father, Thomas J. Cummins, appealed from the decision of Judge De Bolt.

The Supreme Court holds that a stockholder's right to purchase at par new shares issued by a corporation is not "income, profits or gains" of the shares held by him, but belongs to the principal as an incident of its ownership according to the remainderman and not to the life tenant or beneficiary. It also holds the trustee (Cartwright) responsible for the profit of \$2000 he allowed to go to the life beneficiary, "although he acted on legal advice and believing that the life beneficiary was entitled to the rights."

EDMUND H. HART,
Clerk, Second Circuit Court,
(Seal.)

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.

In the matter of the Estate of Albion H. Glenman, of Makaweli, Kauai, deceased—Order of Notice of Hearing Petition for Allowance of Final Accounts. Distribution and Discharge.

On reading and filing the petition and accounts of John A. Palmer, Administrator of the Estate of Albion H. Glenman, of Makaweli, deceased, wherein he asks to be allowed \$55.53 and he charges himself with \$2844.69, and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all further responsibility as such,

It is ordered, that Thursday, the 1st day of December, A. D. 1904, at 10 o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, newspaper printed and published in Honolulu, four successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Lihue, this 20th day of October, 1904.

By the Court:
(Signed) JNO. A. PALMER,
Clerk.

2636—Oct. 25, Nov. 1, 8, 15.

FORECLOSURES.

ZELUBABERA KAKINA AND WIFE.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that by virtue of a power of sale contained in a certain mortgage made by Zelubabera Kakina and Kaal Z. Kakina, his wife, of Kawaihau, Island of Kauai, Territory of Hawaii, mortgagors, to Albert S. Wilcox, mortgagee, of Lihue, said Island of Kauai, dated October 16, 1900, and recorded in the Register Office, Oahu, in Liber 215, pages 207 to 209, the said mortgage, Albert S. Wilcox, intends to foreclose said mortgage for breach of the conditions therein named, to wit: non-payment of principal and interest when due.

Notice is further given that the property conveyed by the said mortgage, and hereinbelow described, will be sold at public auction at the auction rooms of Jas. F. Morgan, Kaahumanu street, Honolulu, Island of Oahu, Territory of Hawaii, on Saturday, the 6th day of November, A. D. 1904, at 12 o'clock noon of said day.

The property to be sold, hereinabove referred to, is described as follows:

First: All that parcel of land containing an area of one (1) acre situate in the Ahupuaa of Oloheua in said Island of Kauai, being the same premises described in deed from Mrs. Wahinekaia to said Kaal Z. Kakina, dated March 23, 1898, and recorded in the Registry of Deeds in Honolulu, Island of Oahu, in Liber 210 on pages 241 and 242.

Second: All the right, title, interest and estate of the said Zelubabera Kakina and said Kaal Z. Kakina in and to the Ahupuaa of Wainiha, District of Hanalei, in said Island of Kauai, and in and to the Hui Kuai Aina o Wainiha and its property, being the same as described in deed from Josiah Lawrence and his wife, Mrs. Meana Lawrence, dated January 15, 1883, and recorded in said Registry in Liber 78, pages 167 and 168, and in deed from A. Pahoe to said Zelubabera Kakina recorded in said Registry on the 10th day of June, 1889, in Liber 113, page 25.

Terms: Cash. United States Gold Coin. Deeds at expense of purchaser. For further particulars apply to Smith & Lewis, attorneys for Mortgagee, 207 Judd Building, Honolulu.

Dated Honolulu, October 7, 1904.
ALBERT S. WILCOX,
Mortgagee.

COURT NOTICES.

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee. ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and, it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and, it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear;

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive weeks; and

It further appearing from a reading

of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Wailuku, Maui, postpaid, directed to said P. E. Lamar, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOIKAL,
Judge of the Circuit Court, Second Judicial Circuit.

Attest:
(Sgd.) EDMUND H. HART,
Clerk, Second Circuit Court,
(Seal.)

2628

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.

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By the Court:
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